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GREGOROVIUS'
HISTORY OF THE CITY OF ROME
IN THE MIDDLE AGES.

VOL. V.—PART I.

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HISTORY

OF

THE CITY OF ROME

IN THE

MIDDLE AGES

BY

FERDINAND GREGOROVIUS

TRANSLATED FROM THE FOURTH GERMAN EDITION

BY

ANNIE HAMILTON

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BOOK NINTH.

HISTORY OF THE CITY OF ROME IN THE THIRTEENTH CENTURY FROM THE REIGN OF INNOCENT III. UNTIL 1260.

HISTORY OF THE CITY OF ROME IN THE MIDDLE AGES.

CHAPTER I.

1. The Thirteenth Century—The Empire, the Church, the Middle Class, the City of Rome—Election of Innocent III.—The House of Conti—Largesses made to the Romans by the scarcely elected Pope—His Consecration and Coronation—Account of the Coronation Procession to take Possession of the Lateran.

After the chivalric and religious enthusiasm of the twelfth century, the succeeding century shows mankind arrived at a fuller maturity, engaged in fierce struggles for the acquisition of a civic constitution, and already enjoying a life ennobled by work, by knowledge, and by art. The thirteenth century is the culmination of the Middle Ages, on which the Church stands conspicuous in the fulness of her power, while with the Hohenstaufens the ancient German empire passes out of history in order to leave the field clear for independent national states. The empire, with a last superhuman effort, continued

under Frederick II. the struggle for its legitimate existence against two tendencies of the age, to the united force of which it was obliged to succumb. It fought against the universal dominion of the Papacy, and, as in the second half of the twelfth century, the Papacy formed an alliance with the Italian democracies, which, by means of the principle of Latin municipalism, overthrew the foreign institution of German feudalism. The thirteenth century is the age of a great struggle for freedom against an obsolescent but legitimate constitution; of the revolution of the middle class against the feudal aristocracy; of democracy against the imperial monarchy; of the Church against the empire; of heresy against the Papacy. It is a period, above all, invested with a special lustre by the republican freedom of Italy. Within strongly walled and no less strongly governed cities, which enclosed a surprising amount of genius, property, and energy, the mother-country of European culture rose to her first, still imperfect consciousness of her own nationality. This period of the Middle Ages was the period of the cities. As in ancient times, man was again above all a citizen. The city, with its families and clans, with its organised guilds, realised for the second time in history the conception of the state. If we overlook the idea expressed by this remarkable municipal spirit, the return of Italy—the true motherland of cities—to a communal system of politics, immediately after her escape from the decayed framework of the empire, may appear as a retrograde movement. That idea was the victory over feudalism, the re-

covery by learning and labour of the good things of life, the creation of a national culture which was the work of civic society. The energies of the laity, developed by a tedious process, demanded a system in which they should be combined and protected. This protection was furnished by the free cities, the most glorious product of the Middle Ages, the ever active seminaries of a new culture. Italy flourished again independently in her democracies, and again sank into deepest misery when these free cities fell to decay.

The restriction of the State to the city, of the nation to the citizens of the communes, is nevertheless an inadequate condition of things, and one in which the higher elements remain unexpressed. Cities formed leagues as in ancient days, but it was impossible to extend these leagues into an Italian confederation. The empire, which was still predominant, and the Papacy, which possessed its own city, prevented any confederation of this kind; and the Church, which recognised the impossibility of carrying out the Guelf idea of a papal theocracy of Italy, by the foundation of a French monarchy in the south, rendered every prospect of union vain. Alike incapable of creating a political nation the cities fell into a condition of narrow isolation. The force of faction which kept their political life weak, and which bore witness to the need of some symbol for a universal political cult, availed itself of the opposition between the Church and the empire, and created the world-historic factions of the Guelfs and the Ghibellines. The obstruction of national unity caused the vital sap which (otherwise than in ancient Italy and

Greece) was not drained by colonisation to stagnate in narrow channels; and after the great struggle between Church and empire was ended, the cities, seething with energy, broke out into class and civic warfare, the results of which were necessarily, in the first place, the rule of the mob, afterwards the reign of civic tyrants, and finally the rise of petty principalities.

In like manner the city of Rome also manifested the municipal tendency. Consistently enough, she put aside the last connecting link with the empire at the same time that the communes, in alliance with the Papacy (which had now become a national institution), defeated the feudal empire in Italy. It was the popes who severed these links, who extinguished the ancient conception of the *Respublica Romana* as the source of the imperium, who robbed Rome of the support of the empire, and brought the city into a position of dependence on the Church. The city fought incessantly, and with the greater energy against the pope, who claimed imperial rights over her; she attained her civic autonomy, and at brilliant intervals even acquired complete independence as a republic. Incapable of making good her claim to be regarded as the *Urbs Orbis*, incapable of becoming the head of a universal confederation of Italian cities, she restricted her ambition to the aim of ruling the territory of the Roman duchy from the Capitol. We see her in the thirteenth century confined, like Milan or Florence, within limits thoroughly adapted to a municipality. Not till the following century did she aspire to a fantastic ideal. It is curious to see the Romans, untroubled by the affairs

of the world, seriously occupied with their republic at home. While the empire became reduced to a shadow, while the Church attained her great object, that of becoming the constitution of the world, the gaze of the Romans remained fixed on the hoary Capitol; the people barred their gates in the face of the popes as well as of the emperor, and thought of nothing but how to bestow the best constitution on their community. The municipal history of Rome in the thirteenth century contains some honourable pages, which extort our admiration for the Roman populace, who in the midst of difficult conditions periodically asserted their independence. For although in the thirteenth century the Papacy had reached the summit of its supremacy, it remained entirely impotent in Rome.

At the beginning and end of the great century depicted in our fifth volume, Innocent III. and Boniface VIII. stand as the two pillars which mark the confines of the most important period of the history of mediæval culture. They mark at the same time the culmination and the downfall of the Papacy.

Innocent III., Pope, 1198–1216.

On January 8, 1198, Cardinal Lothar was unanimously elected Pope in the Septizonium, and was proclaimed as Innocent III. He was the son of Count Thrasmund of Segni, a member of one of the ancient ruling families of Latium, which owned property at Anagni and Ferentino. His family was probably one of those which, in the tenth century, had borne the office of Count in the Campagna, as the Crescentii had borne it in the Sabina; nevertheless it was not until after the time of Innocent III. that

the title of count became permanently the name of the family, henceforward known as de Comitibus or dei Conti.[1] Lothar's ancestors were Germans who had migrated to Latium, as is shown by the names of Lothar, Richard, Thrasmund, and Adenulf, which survived in the family. The Conti had not acquired any prominence in the history of the city, but Claricia, the mother of Innocent III., was a Roman member of the family of Romanus de Scotta.[2]

Lothar, who was young and wealthy, had studied in Paris and Bologna, had acquired great scholastic learning and an extensive knowledge of jurisprudence, and as a priest had served with distinction among the adherents of Alexander III., until Clement III. made him Cardinal-deacon of S. Sergius and Bacchus on the Capitol. At the age of thirty-seven he ascended the sacred chair. He was handsome, although of short stature, and was endowed with great eloquence and an all-subduing will.

[1] *Ex patre Trasmundo, de Comitib. Signiæ* (*Gesta Innoc. III.*, c. 1). Contelorius, *Geneal. famil. Comitum*, Rome, 1650. Marco Dionigi's *Geneal. di Casa Conti*, Parma, 1663, is uncritical. Ratti, *Hist. della Fam. Sforza*, ii. The uncritical summary in Hurter is derived from C. Trasmondi, *Comp. Storico-Geneal. della Fam. Trasmondi*, Rome, 1832. Hurter says, "there was no county of Campania"; nevertheless it existed as early as *sæc.* x. (see vol. iii. of this history). That there was no Count of Segni prior to *sæc.* xiii. is contradicted by *Amatus comes Signie*, A. 977 (vol. iii.). The county of Campania was ruled, like the Sabina, by papal consuls, duces, or comites. It is also wrong to confuse the house of Conti with the Crescentii. The Conti were of Lombard origin, and owed their first prominence to Innocent III.

[2] A *Romanus de Scotto* in 1109 (vol. iv. p. 327 n.); a Senator *Bobo Donnæ Scottæ*, A. 1188 (*ibid.*). Grimaldi, *Lib. Canonicor. S. Vatic. Basil.* (*Mscr. Vat.*, 6437), says that the Scotii dwelt in the Reg. *Arenula* near *S. Ben. Scottorum*, the present *S. Trinitatis Peregrinor.*

Scarcely was the election accomplished when Innocent was assailed with cries for gold from the Roman populace. Instead of offering gifts of homage, the Romans demanded them from their popes. The oath of fealty was constantly purchased, and the municipality further required the payment of 5000 pounds from every newly elected pope. Before Innocent had actually ascended the throne, it was in danger of being overturned. As he yielded to the impatient cries of the Romans, he resolved to extract a permanent advantage out of an abuse. He was not parsimonious as Lucius III. to his own misfortune had been; he gave liberally, and thus gained over the majority of the populace; papal largesses, however, on so vast a scale were a disgrace, and might be fairly called the price of his accession.[1]

Is consecrated Pope, Feb. 22, 1198.

Lothar was consecrated in S. Peter's on February 22, 1198. Accompanied by the prefect of the city, the senator, the nobility, the provincial barons, the consuls and rectors of the cities, who appeared to do him homage, he immediately made his solemn progress to the Lateran.

The coronation procession affords us an opportunity of giving a brief account of these marvellous spectacles of mediæval times. No less ostentatious than the coronation processions of the emperors, but without the foreign military pomp and without the

[1] Roger Hoveden, *Annal.*, p. 778. Innocent had the citizens counted according to the ecclesiastical districts. These statistics unfortunately have not come down to us. Cancellieri (*del Tarantismo*) estimates the population of Rome at this time at 35,000 souls; but his estimate cannot be proved.

battles in the Leonina which attended the latter, they represented the splendour of the Papacy in a Roman pageant. As early as the eleventh century, the pope who had been consecrated in S. Peter's was accustomed to return in solemn procession to his residence, the Lateran. After the time of Nicholas I. these processions were transformed into a species of triumphal progress through the midst of Rome, and along a route which became traditionally known as the *Via Sacra* or *Papæ*.[1] Its goal was the basilica of Constantine, of which the pope took possession amid curious ceremonies, and therewith inaugurated his accession as temporal sovereign of Rome and of the State of the Church.

Spectacle of the papal coronation procession.

As soon as he was consecrated by the Bishops of Ostia, Albano, and Portus, he proceeded to the platform in front of S. Peter's, and seated himself upon a throne. The archdeacon took the episcopal mitre from his head, and amid the applause of the people replaced it by the princely "regnum." This was the round pointed tiara, that mythic crown which Constantine was said to have presented to Pope Sylvester; it had originally consisted of white peacock's feathers, and was later ornamented with precious stones, encircled by a gold rim, and after-

[1] Cancellieri, *Possessi de' Fontefici*. The oldest description of these customs in the *Vita Paschalis II.* (1099) already contains the forms of the later books of ritual. *Ordines Romani*, Mabillon, *Mus. Ital.*, ii.; most exact is *Ordo XIV.* of Cardinal Jacopo Stefaneschi, who described the procession. (*De coronatione Bonif. VIII.*, Murat., iii.) In general R. Zoepffel: *Die Papstwahlen und die mit ihnen im nächsten Zusammenhang stehenden Ceremonien vom* 11, *bis* 14 *Jahrh.*, Göttingen, 1871.

wards by three diadems; the whole was surmounted by a carbuncle.[1] While crowning the pope the archdeacon pronounced the haughty formula, "Take the tiara, and know that thou art the father of princes and kings, the ruler of the world, the vicar on earth of our Saviour, Jesus Christ, whose honour and glory shall endure through all eternity."[2] Christ and His barefooted Apostles would have looked in profound astonishment on the form of their successor, who, glittering with gold and jewels and clad in sumptuous apparel, now rose from the throne, the regnum on his head, and as pope-king mounted a horse covered with scarlet trappings. Emperor or king, were either present, held his stirrup and led his horse a short distance by the bridle; in the absence of a monarch, the service was performed by the Roman nobles or senators.[3] All who took part in the cavalcade mounted their palfreys—the procession being made on horseback—and advanced in the following order: One of

[1] *Regnum* or *Phrygium;* illustration in Garampi, *Del Sigillo della Garfagnana.* Nicholas I. is supposed to have adopted the first crown, Boniface VIII. the second, and Urban V. the third crown; this, however, cannot be proved. Garampi notices the passage in Benzo, according to which Nicholas II. (1059) must have worn two crowns. We still see these glittering tiaras carried on great festivals, but none of them belong to mediæval times.

[2] *Accipe Tiaram, ut scias te esse Patrem Principum et Regum, Rectorem orbis, in terra Vicarium Salvatoris n. J. Ch., cujus est honor et gloria in sæcula sæculor.* See Papebroch's note to the text of Cardinal Jacopo (Murat., iii. 648).

[3] *Senatores Urbis D. Papam debent adextrare;* they received in return ten solidi. *Ordo XII.* of Cencius. The popes rode; Paul IV. being the first who allowed himself to be carried in a litter.

the pope's horses, richly caparisoned, led the way; next came the cross-bearer (*crucifer*) on horseback; twelve standard-bearers also mounted and holding red banners followed;[1] then two other horsemen bearing gold cherubim on lances; two prefects of the marine, the scrinarii, the advocates, the judges in their long black gowns of office; the school of singers; the deacons and sub-deacons; the foreign abbots, the bishops, the archbishops; the abbots of the twenty abbeys of Rome; the patriarchs and cardinal-bishops, the cardinal-presbyters, the cardinal-deacons, all on horseback, where it was only with difficulty that many of the older men retained their seats. Then followed the pope on a white palfrey, led on each side by senators or nobles. Close beside him rode the sub-deacons and the prefect of the city, accompanied by the college of judges. The civic guilds, the militia, the knights and nobles of Rome came next in glittering mail, and carrying the arms and colours of their houses. The long procession (it lasted an hour) of these spiritual and secular magnates, the solemn chaunt, the ringing of all the bells, the applause of the

[1] *XII. bandonarii cum XII. vexillis rubeis.* In the *Ordo* of Benedict, in the middle of *sæc.* xii.: *milites draconarii, portantes XII. vexilla quæ bandora vocantur;* the militia of the twelve regions still existed. Cencius, on the other hand, explains these standard-bearers as scholæ of the *Bandonarii colosæi et cacabarii* (Mabill., *Mus. It.*, ii. 199). These standard-bearers, mentioned with other artisans in the service of the pope, appear as a guild, who made banners and similar articles. In *sæc.* xvi. these twelve standard-bearers were called *cursores*, outriders. Procession of Innocent VIII. in 1484: *duodecim cursores Papæ cum XII. vexillis rubeis.—Duo præfecti navales* also appear as late as *sæc.* xv.

populace, the parade, the dignities and offices, the variety of the costumes, the blending of things ecclesiastical and secular, presented a curious spectacle, and one which, in a single picture, reflected the essence of the Papacy.

The city was wreathed with garlands: triumphal arches towered above the route, erected by the laity, who were compensated by distributions of money made beneath them.[1] The procession advanced through the arches of the Emperors Gratian, Theodosius, and Valentinian, to the quarter Parione, where the pope halted at the tower of Stephen Petri, to receive the acclamations of the schola of the Jews.[2] For a deputation of the children of Israel, the steadfast believers in a pure unadulterated monotheism, stood here in dread or timid hope, the rabbi of the Synagogue, bearing on his shoulders the veiled roll of the Pentateuch, at their head. The Roman Jews were obliged to salute their territorial ruler in each new pope, who, like the ancient emperors, at whose accessions their ancestors

[1] Arches of honour, mentioned for the first time in the *Vita Calixti II.*, A. 1119. Cencius already speaks of the Palazzo Massimo (*domus Maximi*). Mabillon's text of the *Ordo* of Cencius abounds in errors, as I found on comparing it with the Florentine MS. For example, instead of *arcus de Cairande* read *Arcus de Miranda;* instead of the senseless *salacia fragmina pannorum* read *palatia Frajapanorum.* The names of the churches are even distorted. A correct edition of the *Ordo* is to be desired.

[2] The older *Ordines* say *turris Stephani Serpetri;* the later *de Campo* (*di Fiore*); it is the tower in Parione, which had belonged to Stephen the City Prefect (father of the notorious Cencius) in the time of Gregory VII.; it long remained standing with a clock, but vanished in the building of the Palazzo Pio.

had appeared to do homage, graciously accorded them an asylum in Rome. And while the rabbi offered the code of Moses for the ratification of the Vicar of Christ, the Jews read their fate in the sinister or benevolent looks of the new pontiff. The pope merely bestowed a passing glance upon the roll, and handed it backward to the rabbi, saying with grave condescension, "We acknowledge the law, but we condemn the principles of Judaism; for the law has already been fulfilled through Christ, whom the blinded people of Judah still expect as their Messias."[1] The Jews retired amid cries of derision from the Roman crowd, and the procession advanced through the Field of Mars, while here and there the clergy greeted the pope with incense and the chaunt of hymns, and the people sang songs with a joviality worthy of the Carnival.[2] In order to divert the pressure of the crowd and perhaps also in remembrance of ancient consular usages, the chamberlains scattered money at five appointed places.[3]

Advancing across the forums and through the

[1] *Ordo XIV.* See also the verses of the same Cardinal Stefaneschi (Murat., iii. 652):—

—Judæa canens, quæ cæcula corde est
Occurrit væsana Duci, Parione sub ipso. . . .
Ignotus Judæa Deus, tibi cognitus olim;
Qui quondam populus, nunc hostis.

The Jews on this occasion also contributed 1 lb. of pepper and 2 lbs. of cinnamon to the papal kitchen. *Ordo XII.*

[2] In the life of Gregory IX.: *et puerilis linguæ garrulitas procacia fescennia cantabat.* According to ancient Roman custom some of these songs must assuredly have been satirical.

[3] In front of S. Peter's; at the tower *Stephani Petri;* at the *Palatium Centii Muscæ in Punga;* beside S. Marco, and beside S. Adriano.

triumphal arches of Septimius Severus and Titus, the procession skirted the Colosseum, passed by S. Clemente, and reached the piazza of the Lateran.[1] Here the clergy of the Lateran received the pope with solemn song. They escorted him to the Portico, where he took his seat on an ancient marble chair, the *sella stercoraria*. This symbolic ceremony, of the deepest abasement of the supreme Head of Christendom on a seat bearing such a name, is perhaps the most curious custom of the Middle Ages, a custom which we can only now contemplate with a smile. Cardinals, however, hastened to raise the Holy Father from the inappropriate seat, with the comforting words of Scripture, "He taketh up the simple out of the dust, and lifteth the poor out of the mire."[2] The pope standing erect took three handfuls of gold, silver, and copper from the lap of one of his chamberlains and threw them among the people, saying, "Gold and silver are not mine, but what I have that I give thee."[3] He offered up prayer in the Lateran, and, seated on a throne behind the altar, received the homage of the chapter of the

[1] The procession at that time left S. Clemente on the right; Stefaneschi says:—

Romulei qua Templa jacent, celsusque Colossus,
Quoque pius colitur Clemens, qui dexter eunti est.

[2] *Ducitur a cardinalib. ad sedem lapideam, quæ sedes dicitur Stercoraria—Ordo XII.* The first mention of the *Stercoraria*. Leo X. was the last to seat himself on this porphyry chair. Pius VI. had it polished and placed in the Vatican Museum. Another seat of the same kind may be seen there.

[3] *Argentum et aurum non est mihi; quod autem habeo, hoc tibi do. Ordo XIV.* The beautiful saying was frequently enough turned to irony.

basilica; he entered the palace, of which, either seated or on foot, he took possession, and threw himself down in a prostrate attitude on an ancient porphyry seat in front of the chapel of S. Sylvester. The prior of the Lateran thereupon gave him the pastoral staff, with the keys of the church as well as of the palace, symbols the one of his governing power, the other of his power to bind and to loose. He took his seat on a second porphyry chair, restored the symbols to the prior, and was clad with a girdle of red silk, from which hung a purple purse containing musk and twelve seals of precious stone, emblems of the apostolic power and the Christian virtues.[1] All the officials of the palace were then admitted to kiss the papal foot. The new pope threw silver denarii three times among the people, saying, "He scattered and gave it to the poor, his justice endures for ever and ever." He prayed before the relics in the *Sancta Sanctorum*, the private chapel of the popes, and rested again on a throne in S. Sylvester, while the ranks of the cardinals and prelates knelt in front of him proffering the mitre in which he placed the customary donative or presbyterium.[2]

[1] In the *Vita Paschalis II.* it is still said: *baltheo succingitur, cum septem ex eo pendentib. clavib., septemq. sigillis.* The keys are now one gold and one silver key; these are handed to the pope in a bowl.

[2] All the scholæ of the pope, churches, convents, judges, scribes, prefect, senators received a present. The triumphal arches all cost thirty-five pounds. The Jews received twenty solidi, which was more than was given to the other scholæ; at Advent and Easter, when half the senators dined with the pope, each received a malechino (the judges and advocates probably the same); at every festival on which the pope appeared wearing his crown, they received a cask of wine, a

The Senate then tendered the oath of homage in the Lateran, which was followed by a banquet in the dining hall. The pope sat alone at a table covered with costly vessels, while the prelates and nobles were accommodated at other tables, and the senators and the prefects took their places beside the judges. The greatest nobles waited on the pope. Kings, if present, carried the first dishes, and modestly took their place at the table with the cardinals.

Such are the main features of the great papal coronation. They survived in their mediæval form until the time of Leo X., when the ancient symbolical customs fell into disuse and the ceremony was transformed into one more consistent with the age, that of the possessus or pompous function of taking possession of the Lateran.

2. INNOCENT III. TRANSFORMS THE PREFECT OF THE CITY INTO A PAPAL OFFICIAL—CIRCUMSTANCES OF THE CITY PREFECTURE—THE PREFECTS OF THE HOUSE OF VICO—CIRCUMSTANCES OF THE SENATE—SCOTTUS PAPARONE, SENATOR—INNOCENT III. ACQUIRES THE RIGHT OF ELECTING THE SENATE—FORMULA OF OATH TAKEN BY THE SENATORS—THE CITY OF ROME RETAINS ITS AUTONOMY — FIRST ROMAN PODESTÀS IN THE CITIES OUTSIDE ROME.

From his throne Innocent III. cast a glance over the dominions he governed, and beheld nothing but

cask of claret, and a dinner was laid of forty covers. The city prefect received a dinner of fifteen covers, a cask of wine, and a cask of claret. *Ordo XII.*

ruins ; he surveyed the task on which he was about to enter, and saw the world reduced to conditions such as invited the rule of the strong man. The temporal power of S. Peter had been completely destroyed under Innocent's weak predecessor. The more distant provinces of the ancient State of the Church had fallen into the possession of German counts, generals of Henry VI., to whom they had been given in reward ; the districts in the neighbourhood of Rome, into the power of the nobility or of the Senate.[1] Innocent's first task must consequently be to restore the dominion of the Papacy in its immediate surroundings. That he succeeded in this and in still greater undertakings, with unexpected rapidity, was due to the consternation into which the imperial party had been thrown by the death of Henry VI. and the sudden state of orphanage in which the empire was left. Beside the coffin of its oppressor the Papacy suddenly rose from the depths of impotence to become the national power in Italy.

The republic on the Capitol having lost its support, Innocent succeeded in restoring papal authority in the city by a first audacious stroke. Two magistrates still remained in the way of the rule of the sacred chair ; the prefect as representative of the rights of the Roman empire and the senator as representative of the rights of the Roman people. Henry VI. had again reduced the prefecture of the city to an imperial office, and Peter, the City Prefect, to his vassal. Finding himself deprived of protection, the Prefect

Innocent III. makes the prefecture of the city subject to himself, 1198.

[1] Henry VI. reduced the State of the Church to the same boundaries of the Roman duchy, to which it is still (1864) limited.

offered, as the price of his recognition, to yield subjection to the Pope. On February 22, 1198, Peter tendered the oath of vassalage to Innocent III. and received the purple mantle of the prefect as a symbol of investiture from his hands.[1] The functions of his office are but vaguely indicated in the formula of oath which has been preserved. The prefect did homage to the Church as a papal vassal, who is merely entrusted with the temporary management of an estate; he swears to maintain the rights of the Church, to provide for the safety of the streets, to exercise justice, to preserve the fortresses for the pope, to refrain from arbitrarily building new ones; he promises not to divert to himself the allegiance of any vassals in the patrimony of the Church, to renounce his administration whenever the pope may command. The territory subject to the prefect is not, however, specified.[2] In ancient Rome this territory had extended to the hundredth milestone, and thence the Romans in the Middle Ages traced their right to govern the entire district of the city by means of communal judges. Even in the fifteenth century Martin V. granted a document to a secretary of the city, in which utterance is given to

[1] *Ad ligiam fidelitatem recepit—de præfectura eum publice investivit, qui usque ad id tempus juramento fidelitatis Imperatori fuerat obligatus. Gesta*, c. 8, and Ep. i. 23.

[2] *Ego Petrus Urbis præf. juro, quod terram, quam mihi D. Papa procurandam commisit, fideliter procurabo ad hon. et profectum Eccl. Epistolar. Innoc. I.*, 577. According to the *Reg. Innoc. III.*, i. ep. 23, this homage was divided into two acts: investiture with the office by the mantle; *ligium homagium* and investiture with the cup; the latter act I take to be the enfeoffment with the territory of the prefecture.

the following principle: "After the Imperium had been handed over to a prince, the city of Rome was transformed into a prefecture; she has always retained her independent authority as such, and since this authority reaches to the hundredth milestone, it follows that the city territory extends the same distance and that the entire district comprised within these limits is subject to the jurisdiction of Rome; the city there possesses the rights of the republic, the *merum* and *mixtum imperium*, the royalties, rivers, roads, harbours, customs, coinage, and the like."[1] The Roman municipality claimed the administration of the entire district from Radicofani to Ceprano, from the Sabine Mountains to the sea, but it does not appear whether the prefect exercised jurisdiction within this territory or not. The power of the once dreaded criminal judge had been destroyed by the democracy on the Capitol; the senator had thrust the prefect from his office, the head of the municipality had supplanted the imperial provost.[2] The nature of this office at the beginning of the thirteenth century and after the extinction of all imperial fiscal rights is utterly obscure. He still held a police tribunal in the city as also outside it. But his influence resided no longer in his office, but

[1] Nicholas Signorili (*Mscr. Vatican*, 3536). The author says that he found the document quoted above *in principio Censuarii antiqui dicte urbis jam in novitatibus Romanis amissi.*

[2] How great were his privileges even in *sæc.* xii. is shown by the custom, that in the Leonine city the property of all such as died without children fell to the City Prefect. Calixtus abolished this custom by a bull *dat. Albæ VI. Id. Julii A.* 1122; Moretto, *Ritus dandi Presbyterium*, Rome, 1741, App., iii. 332.

in his landed possessions. The city prefect had, for instance, become ruler of large estates in Tuscany, where he had acquired the adherence of many captains of Matilda's party. As early as the end of the twelfth century a territory near Viterbo appears as the scene of his ambitious exertions, and in the thirteenth the prefecture is seen to have become hereditary in the ruling family of Vico, a place which has now disappeared, but whose name is borne by a little lake. It must have long been endowed with the revenues of Tuscan estates as a formal fief of the prefecture; the noble house of Vico then, however, transformed this official fief, as well as the prefecture itself, into a hereditary possession; a possession which had been greatly extended by purchase and robbery. Innocent III. in vain sought to obstruct this hereditary transmission, by giving a merely temporary tenure to the Prefect Peter, a member of the family.[1]

The territory of the Tuscan prefect.

In the year 1198 expired the last remains of the imperial power in Rome, which had been represented under the Carolingians by the Missus, later by the prefect. The office had so completely fallen into abeyance that the Pope was at a loss how to deal with the antiquated figure of the prefect.[2] Innocent

[1] Thus alone can be explained the fact that the prefecture continued in the house of Vico. That the Tuscan estate of the Prefect was of ancient date, we have already seen in *sæc.* xii. As late as 1453, Calixtus III. rendered a number of cities—only in Tuscany, however—subject to the jurisdiction of the prefect (Contelori, *del Prefetto*, n. 45).

[2] *Præfectusque urbis, magnum sine viribus nomen,* says the *Vita Bonif. VIII.* (Murat., iii. 648); evidently taken from Boëthius (iii.

III. in 1199 had already conceded him, as papal Missus, the authority of a justice of the peace in the cities of Tuscany and Umbria, also in Spoleto;[1] and it was in these territories that the lords of Vico later rose to increased power. For the main point was, that the prefect of the city henceforward attained a prominent dynastic position as Capitaneus in Tuscany. He retained his judiciary authority in Rome and the civic territory, and we may regard him as governor of the city. He continued to appoint judges and notaries;[2] he possessed police authority; he provided for the security of the streets, and supervised the prices of grain and the market. The Pope, who in him respected the oldest magistracy of Rome, often attempted by his means to cast the senator into the shade. He gave him a representative dignity full of pomp and splendour, the *Præfectus Urbis* being always found in the immediate neighbourhood of the Pope in all coronation processions. On the fourth Sunday in Lent he was regularly invested with the golden rose, which he was then accustomed, mounted on horseback, to wear with solemn pomp through the streets.[3]

prosa 4): *præfectura magna olim potestas, nunc inane nomen est.* Leo (*Gesch. Ital.*, ii. 206) falls into a curious error when he asserts that after the time of Innocent III. the prefect took the position and title of a senator.

[1] Ep. ii. 467. The Pope calls him *dil. fil. Petrum Præf. urbis, virum nob. et potentem.*

[2] In *sæc.* xiii. we continually find the formula: *Ego N. auct. Alme Urbis Præfecti Notarius*, or *Ego N. Dei gratia Sacræ Rom. Præfecturæ Judex et Scrinarius.*

[3] The seal of the Prefect is given by Pietro Sancta, *Tesseræ Gentiliciæ*, Rome, 1638; in Vettori, *il Fiorino d'Oro.* The Prefect

With equal good fortune Innocent III. on the same day acquired supremacy over the Roman municipality. The republic on the Capitol, which had again become aristocratic, still lacked the foundations of an organisation resting on the strength of the people. Its executive power wavered between an oligarchic and a monarchic form, between too many rulers and a single podestà. Thus fifty-six senators had been elected in 1197, but at the time of Innocent III.'s consecration there was but one senator.[1] The municipal head of Rome incessantly disputed the pretensions of Saint Peter; Benedict Carushomo and his successors had made themselves independent of the sacred chair, had appointed rectors in the Roman country towns, and had even sent communal judges into the Sabina and Maritima; for the Romans asserted that these provinces were by right demesnes of the city.[2] The municipality demanded the jurisdiction of the city district, under which it understood all the territory of the former

Innocent III. renders the Roman Senate subject to himself, 1198.

John is seated on a chair decorated with the heads of dogs, holding a sword and a rose. The inner legend is: *Attinui Papæ Munus Auream Rosam.* Round the edge are the words: *Joannes Dei Gr. Almæ Urbis Præf. Cæsare Absente Pontificis Ductor.* It belongs to about the year 1340. The arms of the prefect are: on a purple field a white eagle, occasionally holding the rose in its claws. Round the eagle are six loaves, denoting the daily tribute of the city bakeries. The prefect also daily received a measure of wine from the publicans, and a sheep's head from the butchers. Rome possesses no monument of a prefect. Viterbo, however, preserves the tomb of Peter de Vico, who died in 1268. Illustrations in Bussi.

[1] At the coronation procession: *comitantibus Præfecto et Senatore. Gesta*, c. 8.

[2] *A tempore Benedicti Carissimi Senatum Urbis perdiderat, et idem B.—subtraxerat illi Maritimam et Sabiniam. Gesta*, c. 8.

Roman duchy. As other Italian cities had annexed the ancient counties, so Rome determined to become the ruler of her own duchy. At the time that Innocent III. ascended the throne Scottus Paparone, a noble Roman of ancient family, probably related to the Pope on his mother's side, was Senator.[1] Innocent persuaded him to abdicate; by means of bribes he induced the populace to renounce the important right of freely electing a Senate, which the Pope declared to be a papal privilege. He now appointed an elector (Medianus), who appointed the new Senator; whereupon the justitiarii, hitherto appointed by the Capitol, were replaced throughout the civic territory by papal judges.[2] The Senate consequently fell into the power of the Pope in 1198.

Scottus Paparone Senator, 1198.

[1] I have obtained the information concerning this Senator from a document of January 27, 1198, from S. Maria in Trastevere: *a I. D. Innoc. III. PP. Ind. I.; in curia senatoris ante Eccl. b. M. in Campitolio. Et hoc factum est temp. Dni Scotti Paparonis Urbis R. Senatoris* (*Mscr. Vat.*, 8051, f. 33). A stone flag on the floor of the church of S. Maria Maggiore, a modern copy of the ancient one, displays the outlines of two horsemen: SCOTVS PAPARONE JOHS PAPARONE FILI EI. Valentini, *Basil. Liberiana*, p. 3, wrongly places these Romans in the time of Eugenius III. That both were dead by 1201, is proved by an inscription in S. Pantaleo ai Monti: *A.D. MCCI. Ind. V. M. Oct. D. XX. . . . Ego Aldruda Infelix Christi Famula Uxor Quond. SCOTTI PAPARONIS Roman. Consulis—Ob—Depositionem Animar. Præd. Viri Et Filii Mei Johis Paparonis Eccl. Istam . . . Reintegrari Feci.* On April 20, 1204, *Phil.* and *Barthol. Filii qd. Lombardi*, in the presence of their sister *Aldruda*, *uxore qd. Scotii Paparonis*, renounced to the *procurator* and *consobrinus* of the Pope, *Octavianus*, the third part of the *castrum Nimpharum*, which *Oddo Frajapane* had formerly sold to *Scottus*. *Studj e Doc. a* 1886, *Doc. per la stor. eccl. e civile di Roma*, n. xxxiii.

[2] *Et exclusis Justitiariis Senatoris, qui ei fidelit. juraverat, suos Justitiarios ordinavit; electoque per Medianum suum alio Senatore,*

We still possess the formula of oath tendered by the Senator: "I, Senator of the city, will henceforth in the future be faithful to thee, my Lord Pope Innocent. Neither by word or deed will I contribute to thy loss of life or limb, or be privy to thy imprisonment. That which thou personally entrustest to me, either by letter or messenger, will I confide to no one to thy hurt. Any injury meditated towards thee, of which I have any knowledge, I will prevent. Should that not be possible I will warn thee by letter and trustworthy messengers. According to my power and knowledge will I aid thee to uphold the Roman Papacy and the regalia of S. Peter, which thou ownest, or to recover that which thou dost not own, and I will defend that which thou hast regained against all the world: S. Peter's, the city of Rome, the Leonina, Trastevere, the island, the fortress of Crescentius, S. Maria Rotunda, the Senate, the coinage, the honours and dignities of the city, the harbour of Ostia, the domain of Tusculum, and above all both the privileges within and without the city. To the cardinals, to their court and to thine, will I guarantee perfect security when they go to church, while they remain there, and on their return. I swear faithfully to observe all I have promised, so help me God and these holy

Oath of vassalage taken by the Senator.

patrimonium recuperavit nuper amissum. Gesta, c. 8. The name of the new Senator is unknown. On October 6, 1202, we find as senators *Jacobus Odd. Franciscus et Johes Ovicionis Dei gr. alme urbis ill. senatores:* Instrument concerning *Castrum Buccegie . . . actum a. LVIII. renovationis Senatus Ind. V. et m. Octub. die VI., datum per man. Cencii Cancell. S. P. R.* (Coppi, *Dissert. della Pont. Accad. Rom.*, t. xv. 231).

gospels."[1] From this formula it is evident that even at this time the city of Rome (*urbs romana*), which consisted of twelve regions, was separated not only from the papal Leonina but also from Trastevere and the island. The Trasteverines were regarded entirely as foreigners, since no inhabitant of the quarter could be elected a Roman Senator.[2]

Political autonomy of the city of Rome.

It were a mistake to believe that the pope henceforward acquired a direct and royal power over Rome. Monarchical rule, in the sense of present times, was so entirely foreign to the Middle Ages, that it never occurred to Innocent III. to doubt the independence of the Roman municipality. All popes of this period recognised the city of Rome not only as a civic but also as a political and autonomous power. They sought to influence this power; they assured its supremacy in principle; they frequently appointed or ratified the appointment of the senators, but they made no disposition either over the will nor over the power of the people. Their dominion was solely a title of authority, nothing more. For the Romans continued to deliberate on the Capitol in free parliament, had their own finances, their own army, and continued to decide on war and peace without questioning the pope. They made war on cities, even on those in the State of the Church, or concluded political treaties with them. For these

[1] *S. Petrum, urbem romanam, civitatem leoninam, transtyberim, insulam.* In the Florentine Codex of Cencius the formula contains the name of Innocent: in the *Ordo Rom. XII.* of the same Cencius that of Urban, where that of Clement III. would be better.

[2] This decision of the Roman statutes was first abolished by Clement V. in 1307. Theiner, *Cod. Dom. Temp.*, n. 589.

cities also were for the most part free communes while other places in the Roman district paid, according to treaty, feudal taxes to the Capitoline treasury and received their podestàs from the Senator.[1] The vigorous character of the Roman nobility at this period and the respect which the commune enjoyed are shown by the fact that, in the first half of the thirteenth century, we find so many Romans podestàs of foreign cities. These cities, standing for the most part in defensive alliance with Rome, frequently besought the Romans in solemn embassy to give them a noble Roman as regent. The series of such podestàs, who signed themselves in all acts as *Consules Romanorum*, is opened as early as the year 1191 by Stephen Carzullus, and in 1199 by John Capocci, both at Perugia; also in 1199 at Orvieto by Peter Parentius as Podestà of Orvieto, where he was slain by the heretics of the Ghibelline party and is still honoured by an altar in the beautiful cathedral.[2]

[1] *Cod. D.* 8, 17 of the *Bibl. Angelica* in Rome contains the formula of appointment of a podestà in a district subject to the Senate as late as the *sæc.* xiv.

[2] The name Parentius appears in Rome for the first time among the senators in 1148. Concerning P. Parentius, Raynald, *ad A.* 1199, n. 22; *Acta Sanctor. ad* 21 *Maji*, p. 86; *Istoria antica del Martirio di S. Pietro di Parensio*, by Anton Stef. Cartari, Orvieto, 1662. Peter Lombard, *Manichæorum Doctor*, who had come from Viterbo, preached in Orvieto (p. 7). See also Gualterio, *Cronaca inedita degli avvenimenti d'Orvieto*, Torino, 1846, i. 212. Immediately after the death of Parentius we again find a Parenzo as Podestà of Orvieto: L. Fumi, *Cod. Dipl. d. città d'Orvieto* (1884), p. 49 f.

3. Decay of the Feudal Principalities of Henry VI. after his Death—Philip of Swabia, Duke of Tuscany—Markwald, Duke of Ravenna—Conrad, Duke of Spoleto—The Tuscan Confederation—Restoration of the Patrimonies of the Church—The Popular Party rises in Rome—John Capocci and John Pierleone Rainerii—War concerning Vitorchiano between Rome and Viterbo—Pandulf of the Suburra, Senator—Viterbo submits to the Capitol.

Rome, the vassals in Campania, the Maritima, the Sabina, and Tuscany had recognised Innocent III. as territorial ruler in February; the Pope was therefore again sovereign within the boundaries of the Roman duchy. It now devolved upon him to regain all other provinces, which under the Carolingians had previously formed the State of the Church. In consequence of the succession of Henry VI. to the throne of Sicily, Italy had fallen into a retrograde movement. The treaties of Venice and Constance remained a thorn in the side of the Hohenstaufen princes, who would recognise neither the freedom acquired by the cities, nor the *Dominium Temporale* inherited by the Pope. Henry VI. had revived the principle of empire and had made Sicily the basis of his monarchical endeavours. By the re-establishment of German feudalism and the foundation of German principalities from sea to sea, he had effected a breach in the Italian nationality which had grown up in the city communes under the protection of Alexander III. These principalities were carved partly

Fall of the feudal principalities of Henry VI.

out of Matilda's estates, partly out of the patrimonies of the State of the Church, which Henry wished to annihilate as the most stubborn hindrance to imperial rule. He made his younger brother Philip Duke of Tuscany; his talented Seneschal Markwald, Margrave of Ancona and Duke of Ravenna, had previously been invested with the Exarchate;[1] while Conrad of Uerslingen had been installed yet earlier as Duke of Spoleto. Thus Italy, divided by Swabian imperial fiefs, was held in bounds and menaced with the ruin of her civic democracies. But the carefully planned structure of Henry VI. fell to pieces with his death, and we can scarcely find a more striking instance of the ephemeral nature of all foreign rule, than the rapid overthrow of these imperial foundations. They sank less by the force of arms than by the power of the national instinct, which had been fostered by the beginnings of Lombard independence. The interregnum and the quarrel for the German throne overthrew the Hohenstaufen party in Italy, and made it easy for the cities to obtain their independence from the empire. The astute Innocent constituted himself henceforward the liberator of Italy from the rule of the Germans. When, as early as 1198, he explained that this country, the seat of the two powers, was by divine dispensation the head of the world, his words there found an echo, although not in the sense of the universal papal dominion of which Italy was the foundation.[2]

[1] The investiture had taken place at the imperial diet at Bari on April 2, 1195. Markwald was also Count of the Abruzzi (*comes Aprucii*). P. Prinz, *Markwald von Anweiler*, Emden, 1875, p. 37.

[2] *Utraque vero potestas sive primatus sedem in Italia meruit obtinere*,

The grave of Henry VI. was the breach through which Innocent, more fortunate than Gregory VII., entered the empire. Of this empire he created himself the arbiter, while he led the Guelf portion of the Italian people to an assault on the citadels which Henry had erected. The result of the foreign domination of the emperors was severe oppression and a glowing hatred in many a refractory city. The first to experience these results was Philip, Duke of Swabia, who came to Italy at the command of Henry VI. in order to take Henry's son Frederick, the heir to Sicily and already elected King of the Romans, from Foligno to be crowned in Germany. Philip was met
Oct. 1197. by the tidings of the Emperor's death at Monte Fiascone: he returned in dismay, and only with difficulty escaped from the furious insurrection of the Italians. Innocent unfurled the banner of independence in Tuscany, the Romagna, and the Marches; and who but the Pope could represent the Italian nation at this time? It was not, however, patriotism that inspired him, but the knowledge that the temporary weakening of the imperial power would afford the Papacy the most favourable opportunity for founding a State of the Church. Innocent inaugurated his reign with a revolution which he himself had evoked and the object of which was the suppression of the historic rights of the empire in Italy. It was the Church itself which by its attacks challenged the imperial power.

quæ dispositione divina super universas provincias obtinuit principatum. Et ideo—specialiter—Italiæ paterna nos convenit solicitudine providere. To the rectors of the Tuscan league, October 30, 1198. I. Ep. 401.

Out of hatred to the foreigner many cities threw themselves into the arms of the Papacy; others were forced in spite of themselves to follow a great movement, for it was necessary that the German feudal lords should be everywhere expelled. Of these loyal adherents of Henry, Markwald, a courageous and crafty soldier, was the most powerful. Summoned by Innocent to render subjection to the Church, he first negotiated with subtlety, then bravely defended himself against the revolted cities and the papal troops, until obliged to surrender his fair fief of Ravenna. In this war between the Church and the Hohenstaufen empire, which was now beginning and which was to prove decisive, the Guelf spirit of a part of Italy was, as a matter of course, the ally of the Pope.

Innocent, it is true, was not able to make Ravenna and the other cities of the exarchate his own; the archbishop opposed his demands. On the other hand, he conquered the March of Spoleto without any difficulty. Conrad of Uerslingen, Duke and Count of Assisi, undoubtedly offered tribute, military service, and the surrender of all fortresses; the Pope, however, determined to show himself an Italian patriot, and would not accept his offers.[1] It was necessary that the Duke should render unconditional submission in Narni, should release his vassals from the oath of fidelity, and should even leave Italy. Thus the long series of German Dukes of Spoleto, headed by the Lombard Faroald in the year 569, ended with Con-

Duke Conrad of Spoleto renders subjection to the Pope.

[1] *In favorem libertatis declinans, non acceptavit oblata. Gesta,* c. 9.

rad in Swabia.[1] In the summer of 1198, with feelings of proud satisfaction, Innocent traversed these districts, now emancipated from foreign rule, and received the homage of Spoleto, Assisi, Rieti, Foligno, Norcia, Gubbio, Todi, Città di Castello, and other places, over which he placed the Cardinal of S. Maria in Aquiro as rector. Even Perugia, the already powerful capital of Umbria, did homage for the first time to the Pope; he confirmed the commune in its civic jurisdiction and the liberty of electing its consuls, privileges which Henry VI. had already bestowed upon it.[2] He sought in general to gain the cities by promises of the communal franchise, which he astutely gave them, while he avoided conceding too much.[3]

Perugia does homage to the Pope.

Thus aided by unparalleled good fortune Innocent appears as leader of the Italian independence, which covered that of the States of the Church. If ever the Guelf idea of a confederation of Italy under the leadership of the Pope could have been attained, no one so nearly realised it as he. The splendid triumphs of his early years show the irresistible power which

[1] Fatteschi, *Duchi di Spoleto.* Undoubtedly Dukes of Spoleto were later incidentally appointed by Otto IV. and Frederick II.

[2] Bull issued in Todi, October 2, 1198, *Privileg. Heinr. VI.* Gubbio, August 7, 1186 (Böhmer, *Acta Imp. selecta*, 168). Innocent III. was the first pope who attained nominal supremacy at least over Perugia. Annibale Mariotti, *Mem. di Perugia* (1806, i. 62).

[3] He granted even Radicofani the liberty of consular election, although under the ratification of the papal castellan. Ep. viii. n. 211. In 1201 he confirmed statutes and jurisdiction to Fano, Jesi, and Pesaro. Theiner, *Cod. Dipl.*, i. 43. On the other hand, he forbade the election of foreign podestàs without his sanction; thus in Sutri, Ep. ix. n. 201.

the Church acquired whenever, from political motives, she allied herself with popular tendencies.[1]

Tuscany also, the fief of Philip of Swabia, sought to sever itself from the empire, and the Pope formed hopes of subjugating this noble province to the Church. Florence, Siena, Lucca, Volterra, Arezzo, Prato, and some other cities had already (on November 11, 1197) formed a Tuscan confederation after the model of the Lombard league and with the co-operation of the legate of Celestine III. In their articles they had taken upon themselves the obligation of defending the Church and its property, and had promised never to recognise emperor, duke, or vicar in their territories without the pope's consent. Innocent sought to rule this alliance, which Pisa, in gratitude to the Hohenstaufens, refused to join. In October 1198, after long negotiations, he renewed the Tuscan treaty on the basis of 1197; nevertheless he in no wise succeeded in obtaining possession of the estates of the Countess Matilda which had been taken by these cities. The communes accorded no political rights to the Church in the ancient duchy of Tuscany. Their resistance to Innocent's desires preserved the republics of Florence, Lucca, and Siena from the loss of their independence.[2] On the other hand, all the places in the Tuscan patrimony which had formerly belonged to Matilda, but had been wrested from the

Tuscany opposes the Pope

[1] The Guelf idea of a Confederation of Italy reappeared for the last time in history in the peace of Villafranca in 1859.

[2] Act of Confederation of November 11, 1197 (*Archives of Siena*, n. 59), frequently printed. Innocent allowed the cities of Tuscany and of the March of Spoleto to join the league. *Gesta*, c. 11.

The Tuscan patrimony does homage to the Pope.

Church by Henry VI. or Philip, again yielded homage. Innocent reorganised this patrimony with the other provinces belonging to the Church, placed rectors within it, appointed new castellans, and strengthened the fortresses. A line of threatening strongholds, which were to be regarded as the property of the patrimony of the Church, extending from the Marches to Latium, were rebuilt or restored in order to hold these lands in check.[1]

The first appearance of the Pope, therefore, was that of a man born to rule. For scarcely had he filled the papal throne for two years when he was already the restorer of the State of the Church within the limits of Pipin's donation, and at the same time arbiter of the empire (the throne of which was the object of fierce rivalry between the Swabian Philip and the Guelf Otto), feudal lord of Apulia and Sicily, and also the defender of powerful city confederations — the true protector of Italy. Nevertheless the Pope never attained to the peaceful enjoyment of his temporal power. His glorious reign showed, on the contrary, the laborious and only outwardly victorious struggle of a great will against the spirit of the age, whose depths he did not rule,

[1] *Gesta*, c. 14. The bull of Gregory IX., of January 22, 1235, gives the list of these castellanies (*patrimonialia*). In Campania: Fumone, Palliano, Serrone, Lariano. In the Maritima: Aqua Putrida, Ostia, Aritia, Nympha, Juliano, Cora, Cisterna, Terracina. In Tuscany: Monte Flascone, Orcla, Montalto, Radicofani, Priseno, Aquapendente, Bolsena. In the duchy of Spoleto: Cesi and Gualdo. In the bishopric of Spoleto: Rocca Sacrati, Brusium, Corinum, Rocca de Saxo. In the bishopric of Narni: Narni, Castrum Sci. Gemini, Stroncone, Miranda, Otricoli. In the Sabina: *Rocca Antiqua, et totam Sabiniam cum omnib. castris et villis. Cod. Vat. Reg.*, 395, fol. 104.

and against the hostile opposition of the world, which he failed to reconcile. It was even by him that this opposition was aggravated into a bitter contradiction, which soon after broke forth into terrible wars.

The city of Rome likewise showed that within her tumultuous populace lay a force, which, although the popes occasionally became her rulers, they nevertheless could not control. It even drove Innocent into exile. The democrats, the men of the Constitution of 1188, the companions of Benedict Carushomo, could not brook the fact that the Pope usurped the mastery of the Senate, and had removed the urban territory from the jurisdiction of the Capitol. Two demagogues belonging to the foremost Roman houses were the leaders of the party, John Capocci and John Pierleone Rainerii, both of whom had succeeded the energetic Benedict in the Senate a short time before Innocent's ordination. Capocci, who dwelt in a towered palace standing in the Suburra, was a bold and eloquent man, exerting great influence at the time in Rome. Perugia showed the respect in which she held him by twice electing him podestà; he was connected by marriage with the leading families in the city, and was the head of a house which throughout the thirteenth century enjoyed high esteem not only in the Church but also in the republic.[1] The two ex-senators excited the ire of the commune by representing that the Pope had robbed the city

The city of Rome offers resistance to the Pope.

[1] John Capoccius had three sons, Peter, Cardinal of S. Georgio in Velabro (died May 20, 1259), Archius, and James; his daughter Johannella was married to Pandulf Sabelli of Ariccia. *History of the Family of Capocci*, by Joh. Vinc. Capoccius, *Mscr. Vatican*, n. 7934.

of her rule and had "plucked her as the hawk plucks the hen."[1] The discontent of the Romans sought an opportunity for display, and Viterbo, like Tivoli or Tusculum in former days, afforded the desired opportunity. The Pope, however, astutely averted the danger by making the cause of the Romans his own.

The Romans make war on Viterbo

Viterbo, a prosperous commercial town and a free commune under papal supremacy, had long been at war with Rome, whose jurisdiction she refused to acknowledge.[2] In 1199 she laid siege to Vitorclanum, and the fortress consequently placed itself under Roman protection. Viterbo, summoned to retreat, refused, and the Roman Parliament consequently declared war.[3] The Viterbese, who had been sufficiently far-sighted to join the Tuscan league, demanded aid against Rome from the rectors of the league, and aid was immediately granted. The Tuscan league, utterly regardless of the treaty which it had sworn to with the Church, took part in the war which the papal cities thus made upon one another, and even threatened Rome, the residence of the Pope. These conditions, which explain the nature of the papal rule in the Middle Ages, show that the Pope and the city of Rome were two entirely distinct powers. The interference of the

[1] *Gesta*, c. 134.

[2] Consuls are mentioned in Viterbo as early as 1095 (Pinzi, *Stor. di Viterbo*, i. 110). In 1148 there were in Viterbo *Consuls de communi populo*, and *de militia*, and decemvirs (*capudece*). Orioli, *Florilegio Viterbese, Giorn. Arcadico*, t. 137, p. 255; Pinzi, i. 142. The Codex of the oldest statutes of Viterbo was edited by Ignazio Ciampi, *Cronache e Statuti della Città di Viterbo*, Firenze, 1872.

[3] *Diffidati sunt a Romanis. Diffidare*, now *sfidare—reaffidare*, was the phrase for the abrogation of a state of war by treaty.

league forced the leaders of the Roman populace to seek the assistance of the same Pope whom they had hoped to involve in painful complications. He immediately yielded to their demands. After having vainly summoned Viterbo to submit to his arbitration, he laid the town under sentence of excommunication. This he did all the more readily since it had rendered aid to rebellious Narni only a short time before. His exhortations also induced the Tuscan confederation to recall its troops, which done, the Romans relieved Vitorclanum.

The war broke out afresh at the end of the same year (1199) while Pandulf of the Suburra, an energetic man, was Senator.[1] Had Innocent refused the city commune further support, the consequence would have been a popular revolt, and this he was obliged to obviate. He was short of money; the military forces were weak: the Senator waited in hesitation in camp on the Field of Nero. Richard, the Pope's brother, lent money to raise troops; the Romans came forth in crowds, and while they stood in the field the astute Innocent publicly prayed for the success of his Roman brethren. So little was the war between two neighbouring papal cities regarded as a civil war, and so far removed were the communes of one and the same territory from the conception of a joint confederation. The

Pandulf de Suburra, Senator, 1199.

[1] Anastasius IV. probably belonged to the family of Suburra. Ciaconius, *Vita Honorii II. et Anastasii IV.* The street which took its name from the ancient family continued to exist. An inscription of 1270 in the vestibule of the Pantheon speaks of *Pandulphus de Sebura Archipr. Eccl. S. M. Rotundæ.*

Viterbese, deserted by the Tuscan league, had formed a treaty with Count Ildebrandino of Santa Fiora, had appointed him their podestà, and had acquired yet other allies. They nevertheless suffered a severe defeat on January 6, 1200.[1] The Roman army returned in triumph with their spoils, and the grateful Parliament entrusted the Pope with making overtures for peace. Innocent removed some captives from the prisons of the Cannaparia, to keep them as hostages in the Vatican.[2] As Viterbo threatened to break off the negotiations, he rescued the most distinguished of these men, namely, Napoleon, Viscount of Campilia, from the popular fury and placed him in the strong fortress of Larianum. Napoleon ungratefully escaped: the Romans, however, complained that the Pope had betrayed them to Viterbo.[3]

[1] *Chron. Sigardi, ad A.* 1200. Ildebrandinus was head of the Aldobrandeschi, lords of the county of that name and of S. Flora. On July 31 he did homage to the Pope at Montefiascone on account of Montalto (Cencius, fol. 138); on May 23, 1221, Frederick II. at Messina ratified him in possession of the town of Grossetto (*Archivio di Siena*, n. 143). The archives of Siena and those of Orvieto are rich in documents concerning this ancient Lombard family of the Hildebrands.

[2] As late as the fifteenth century an ancient building, called *edificium cannapari*, still stood in the *Contrata que dicitur la roccia et cannaparia.* Thus I find this building designated in the *Catastatum omnium bonor.* of the hospital *ad sancta Sanctor.* of the year 1410. (In the archives of that hospital in Rome.) It is also called *templum canapare* in 1426, when Martin V. allowed its stones to be carried away and burnt for lime. E. Müntz, *Les Mon. antiques de Rome à l'Epoque de la Renaiss. nouvelles Recherches*, i., Paris, 1885, p. 12. Romans called *de Cannapara* are mentioned as early as the tenth century (vol. iii.).

[3] *Gesta*, c. 133. The Pope's letter, v. 138, Lateran, January 10,

Through the mediation of the Pope, peace was made at the end of 1200, or at the beginning of the following year.[1] According to the articles, which he caused the Romans to confirm in the Lateran, Viterbo made subjection to the Roman Senate and people, acknowledged the duty of vassalage, rendered tribute, ceded Vitorclanum, tore down a portion of its walls and undoubtedly received confirmation of its podestà from Rome.[2] The conquered town was obliged to surrender the bronze doors of S. Peter's and other objects, which she had carried away from Rome in 1167 as spoils of war. The Romans hung the bell of the commune of Viterbo in the Capitol, a chain and the keys of one of its gates on the Arch of Gallienus near San Vito.[3] If the Pope dictated a peace, according to which a considerable town of the

Viterbo makes subjection to the Romans, 1200.

1203—*ad arcem Lariani, quæ est fere præ ceteris Roccis Italiæ spatiosa;* one of the four papal fortresses on the Algidus in Latium; given to the Church by Raino of Tusculum in exchange for Norma in 1174. Cencius, fol. 114.

[1] Rainer, Bishop of Viterbo, mentions it in a letter to the Senator John Colonna: *D. Inn. omnia capitula reformandæ pacis inter Romanos et Viterbiensis, in sua potestate posuit* (*Giorn. Arcad.*, t. 137, p. 210).

[2] A document contains the articles (*Ibid.*, p. 200). *Ego N. civis Viterb. ab hac hora in antea fidelis ero Senatui* (*et Pop. Rom.*). . . . *Guerram et pacem faciam ad mandatum eor. . . . Salva fidelitate Rom. Pont. et E. Rom.* Another formula of 1281 speaks of *vassallagium et fidelitatem senatui populoque R.* Orioli, Bussi, and the *Chronicle of Viterbo* (*Bibl. Angelica*, b. 7, 23) place the peace in the year 1200. In 1207 *Johannes Guidonis de Papa dei grat. Consul Romanor.* was podestà of Viterbo (*Giorn. Arcad.*, t. 136, p. 125).

[3] The above-mentioned MS. *Chronicle: la campana del comune . . . poserla nel campidoglio e poserli nome la paterina di Viterbo.* Viterbo teemed with heretics. Concerning the bronze doors, &c., see *Gesta*, c. 135.

ecclesiastical State made subjection not to him, but to the Roman commune, the fact serves as a proof that he recognised the Roman people as a sovereign power, and it is principally for this reason that the war between Rome and Viterbo has claimed our attention.

4. The Orsini—Their Hereditary Feud with the Relations of Innocent III.—Richard Conti and the House of Poli—The Poli Estates come to Richard—Civil War—Flight of Innocent III. to Anagni, 1203—War of Factions concerning the Senate—Innocent returns, 1204—Gregory Pierleone Rainerii, Senator—Bitter Dispute concerning the Constitution—Character of these Civil Wars—Innocent once more obtains Recognition of the Papal Right over the Senatorial Election, 1205.

Innocent hoped that he had now tranquillised Rome;[1] opposition, however, to the papal rule, quarrels concerning the Constitution, and feuds between the nobility kept the city in continued strife. From amongst the patrician families some houses rose with the thirteenth century to new power, while the earlier ruling families of the Pierleoni and Frangipani receded into the background. The popes themselves also became the founders of houses which were bound to them by family ties and which aimed at the tyranny of the cities. But neither

[1] He wrote from Anagni to the legate Guido in Germany: *de urbe quoque scire vos volumus, quod eam per Dei gr. ad benebl. nostrum habemus. Reg. Imp.*, Ep. 56, at the end.

the Colonna (already an ancient race) nor the Anibaldi were among the families of whom we speak; the Conti, Savelli, and Orsini, however, owed their greatness to the popes.

Celestine III. had endowed his nephews of the house of Bobo with property belonging to the Church, and had thus founded the fortune of a family who were kinsmen of the Orsini.[1] The race of Ursus, soon to become celebrated, is conspicuous in the Roman Middle Ages through several popes, through a long series of cardinals, of statesmen, and of military leaders. Among all the Roman families the Orsini alone could vie on terms of equal birth with the Ghibelline Colonnas. Their origin is, however, obscure. The records of the family in the Roman archives (which are devoid of critical value) trace it to Spoleto, but the statements of these documents are mere fictions. Some authorities represent the cradle of the race to have been situated on the Rhine. But the names Ursus and Ursinus are ancient Roman, nor can it be shown that the powerful Roman house owed its foundation to Saxons who migrated to Italy under the Ottos.[2] A fortunate

The Orsini family.

[1] *Gesta*, c. 135. In cap. 136 we find: *filii Ursi, quond. Cœlestini P. nepotes, de bonis Eccl. Rom. ditati.* He probably also bestowed Vicovara, Burdello and Cantalupo in the Sabina upon them. The name Bobo long survived among the Orsini. The baptismal name of Napoleon is also common among them (as among the Torre in Milan); also that of Matthew.

[2] Gammurrini (*Famil. nob. Toscane et Umbre*, Flor., 1671, t. ii.) cites ancient Roman inscriptions with the name of Ursinus. The anti-pope to Damasus was called Ursicinus, A. 366. In 499 a Firmilianus Ursinus signs a Gothic deed at Ravenna. Legend represented the German *Bären* of Anhalt as descended from the Orsini. Muratori

man, probably a warrior endowed with rude energy, called Ursus, the Bear, became the founder of a race which, in numbers and tenacity, put royal dynasties to shame. The date and the person of this ancestor are veiled in obscurity. Only so much is certain, that the name Ursus is found in the time of the Ottos.[1]

At the beginning of the thirteenth century "the sons of Ursus," already numerous and powerful, inhabited towered palaces built upon ancient monuments in the region Parione. They dwelt in hereditary feud with the race of Romanus de Scotta and of John Ocdolinae, relatives of the Conti,[2] and in the autumn of 1202, during Innocent's absence in Velletri, drove these families from their homes.[3] The Pope on his return demanded peace, and the Senator Pandulf banished the hostile factions, one

The Orsini make war on other families in Rome.

(*Ant.*, iii. 784) discreetly derives them from *Urso quod. nobili viro.*

[1] The family was called *filii Ursi.* An Orso de Baro appears as early as 998 (vol. iii. p. 383); a Constantinus Ursi in 1032 (Garampi, *Mem. di B. Chiara*). Better than Sansovino's *Hist. di Casa Orsina* (1565) is the genealogy in Litta, who represents the historic family of Orsini as beginning with Orso, the great-grandfather of Nicholas III. (1277). His genealogical tree agrees with a summary in the Conti-Ruspoli archives, which briefly gives the five branches of the family: Pitiliano, Castel S. Angelo, Bracciano, Monte Rotondo, and Gravina. The arms of the Orsini are: Per fess: chief: arg., charged with a rose gu. and bearing in base a fess or charged with an eel az. Base: bendy of six, gu. and arg. The branch of Monte Rotondo alone bore on the helmet a bear holding a spray of roses in its claws.

[2] The ancestor of the *filii Johis Ocdolinæ* (Ottolina, the name of a Roman lady) appears in 1101. Vol. iv. p. 318 n.

[3] The *Regesta* show that Innocent was in Velletri from September 14 to October 9.

to S. Peter's, the other to S. Paul's. A murder committed in revenge immediately set the city in uproar. Theobald, an Orsini, was slain on the road to S. Paul's, and immediately the entire family of Ursus forced their way into the city, and crying for revenge, carried the body of the murdered man through the streets, and destroyed the houses of the enemy. The fierce hatred borne to the relatives of the Pope extended to the Pope himself. He was accused, and with justice, of nepotism, for he had been at pains to provide his ambitious brother, Richard, with a princely estate in Latium and had successfully accomplished his object.

Richard Conti, brother of the Pope.

Richard lived in Rome, where, with means furnished by the Pope, he built the gigantic tower of the Conti, released Count Odo of the house of Poli from his numerous creditors, but appropriated according to treaty Odo's estates, ancient fiefs of the Church. Odo had promised that his son should marry Richard's daughter; he now retracted his promise and demanded the restoration of his property. But having no valid ground for his demand, he incited the people against the Conti. The relatives of the Poli, nobles, who owing to bad management of their property and tedious law-suits were in reduced circumstances, frequently paraded the streets as suppliants, half naked and carrying crosses. They uproariously forced their way into S. Peter's on Easter day; they even interrupted the papal procession, and finally they offered their estates, which were mortgaged to Richard, to the Roman people on the Capitol. The fair possessions

of the house of Poli included nine fortresses on the frontiers of the Sabina and Latium. The Romans immediately stretched forth their hands; the Pope, however, hastened to represent his claims upon these fiefs of the Church to the Senate; he invested his brother with the estates in question as security, and soon afterwards the entire fiefs of the Poli were transferred in perpetuity to the Conti.[1]

Acquires the estates of the house of Poli.

The Senator Pandulf, who was devoted to the Pope, had opposed the proposals of the Poli for legal reasons, and had merely drawn upon himself the hatred of the populace. Fire was thrown into Pandulf's tower on the Quirinal; the Capitol was attacked; the Senators within escaped but with difficulty; with difficulty also the Pope's brother, Richard, whose tower was attacked by the people and declared the property of the city.[2] Innocent himself escaped to Palestrina in the beginning of May 1203. In the very days that the Latin crusaders conquered Byzantium, the great Pope found himself driven to bay by the petty feuds of the Roman barons, exposed to the fury of the populace, and forced to flight.

Battle between the democratic and the papal parties.

Innocent III. escapes from Rome, 1203.

[1] Concerning Odo, son of Gregory, and the estates granted to the house of Poli, in 1157, see vol. iv. p. 561, note. Innocent's letter to Richard (vii. 133), Rome, October 9, 1204, makes the trial clear. With it the *Gesta* taken from the acts frequently agree word for word. The Conti retained possession of Poli for 600 years until they became extinct in 1808; the place then passed into the hands of the Sforza Cesarini; and in 1820 into those of the Torlonia. See Nibby, *Analisi*, ii. 569, who wrongly places these events in 1208. Ep. vii. 133 shows that the deed of the investiture of Richard had not been issued by October 9, 1204.

[2] The *Gesta* do not speak of Richard, but the Pope's letter, vii. 133, says: *turrem tuam acriter expugnarent—et adhuc quidam sub nomine Communitatis detinent occupatam* (even in October 1204).

The contrast between his sense of power as Pope and the actual straits in which he found himself in Rome caused him profound depression. In the autumn, when the thrilling news of the fall of Constantinople had already reached him, he was taken so seriously ill at Anagni that the news of his death was announced.[1]

Meanwhile November was drawing near, when the new Senate was to be elected. The discontented people desired fifty-six Senators, and the Pope, with whom negotiations were held through envoys, ordered —as he was entitled to do—the cardinals, by whom he was represented, to appoint twelve electors. The populace shut up these cardinals as in a conclave, within the tower of one of their leaders, John de Stacio, who had erected his house in the ruins of the Circus Flaminius.[2] The cardinals were forced to swear that they would elect at least two candidates from the faction hostile to the Pope. Pandulf the retiring Senator nevertheless surrendered the Capitol to Innocent's adherents, and the newly elected Senate divided on the ground of the trial with Richard into two hostile parties. The popular party pronounced the Poli estates civic property;

[1] *Gesta*, c. 135, 136. *Chron. Fossæ N. ad A.* 1203: *nonas Maji indignatione Romanor. D. Papa venit Ferentinum.* According to the *Regestæ* (in Brequigny) a bull is dated from Palestrina on May 3. See Potthast, *Regesta Pontificum Romanor.*, a work which continues Jaffé's gigantic labours.

[2] The Circus was called at that time *Castellum Aureum.* Two convents stood there, *Domine Rose* (the present *S. Caterina dei Funari*) and *S. Laurentii Pallacini et in Clausura.* Bull of Celestine III. of 1192 in the *Bullar. Vatican.*, i. 74: *Castellum aureum cum parietibus altis et antiquis in circuitu positis. . . .*

their opponents rejected this decree. Rome was torn asunder by furious war, until the populace, oppressed by the nobility, urgently invited the Pope to return. He first refused, then came in March 1204, with the courageous resolve to quell the disturbances and to order the Senate, (the re-election of which was to take place at the end of six months), according to his will. Innocent, received in Rome with every honour, immediately tranquillised the disturbances by prudent measures: he appointed as elector a man respected by all parties, his former opponent, now perhaps his friend, John Pierleone. Pierleone elected as Senator Gregory Petri Leonis Rainerii, a near relative of his own, a noble distinguished by integrity but not by energy.[1] The democratic party, however, would not hear of peace, nor would they concede the elective right to the Pope. They assembled in the Circus Flaminius, pronounced the treaty of 1198 null and void, and elected an opposition Senate under the title "Good men of the Commune."[2]

He returns to Rome, March 1204.

Rome was thus split into a papal and a democratic faction. Pandulf of the Suburra, Richard Conti, Peter Anibaldi, the family of the Alexii, and Gilido

[1] The Pope returned at Easter 1204; then followed the election of *Gregorius Petri Leonis Rainerii*. Vitale believes that *Gregorius di Giovanni Leone di Rainerio* was Senator in 1203, and quotes the decree appointing him from Cantatore's *History of Terracina*. But the indictions do not agree with that date. The histories of the Senate, founded on Gigli's uncritical MS., are full of gaps. The Rainerii family appears as early as 1164 in the person of *Johes Petri Leonis de Rainerio* (Nerini, p. 193).

[2] *Gesta*, c. 139, c. 141. *Boni homines de Communi*, a title usual in all Italian democracies.

Carbonis were the leaders of the former; John Capocci, Baroncellus, Jacopo Frajapane, Gregory and John Rainerii, who had again joined the popular side, headed the opposition.[1] The bitter civil war was a struggle concerning the constitution and was based on a principle of serious importance. The adherents of the ancient communal constitution refused to surrender the election of the Senate to the Pope, and with this right gradually to relinquish every other. The Poli law-suit, moreover, entered into the question, the growing power of the house of Conti affording just grounds for suspicion. John Capocci, the most energetic enemy of the Pope, again placed himself at the head of the populace, while the ex-Senator Pandulf commanded the papal following, and Richard provided the money. Fighting was carried on in the streets throughout the entire region from the Colosseum to the Lateran and the Quirinal, on the slopes of which stood the towers of the three captains, Richard, Pandulf and Capocci.

John Capocci leader of the populace.

The manner and nature of these civil wars are highly characteristic of this rude and vigorous time. As soon as the factions arose they built towers and opposition towers of bricks or wood with furious activity, thence to hurl stones on one another with the savage rage of uncouth Lapithæ. These fortresses sprang up in the course of a night, were built and fashioned amid brawls and tumult, were overthrown to-day and rebuilt on the morrow. They

[1] Peter Anibaldi was called *Sororius*, brother-in-law, or son of the sister of Innocent III. He was his seneschal, and later rector of Cori. Ep. xiv. 86.

were erected on the remains of temples, baths, and aqueducts, and were provided with projectiles, while the narrow streets were barricaded with iron chains, and the churches were fortified.[1] Pandulf, besieged by Capocci in his palace (which stood in the Baths of Æmilius Paulus, on the site of the present Via Magnanapoli), planted a wooden tower on an ancient monument and hence attacked the adjacent fortress of the enemy with equal energy. The Alexii built a colossal tower on the Quirinal; Gilido Carbonis even erected three towers, and Peter Anibaldi built one in the neighbourhood of the Colosseum.[2] The Amphitheatre belonged to the Frangipani, who still remained in possession of the dignity of Lateran Counts Palatine, but who, while ruling over several fiefs on the Campagna, no longer retained in the city the authority which they had once possessed. Innocent III., it is true, had rendered the five sons of Oddo Frangipane, Jacopo, Oddo, Manuel, Cencius and Adeodatus, a service in the year 1204, by forcing the commune of Terracina to surrender them the fortress of Traversa; he had, however, taken Terracina itself under his protection against

The Ex-Senator Pandulf, leader of the papal party.

The Frangipani of the Colosseum.

[1] *Gesta*, c. 139. *Fecerunt utrinque turres ligneas, ubi lapideas non habebant, aggeres et fossata, munientes thermas, et incastellantes ecclesias — Erexerunt enim petrarias, et mangoneilos, conduxerunt balistarios.*

[2] One of these towers must have been the Torre delle Milizie which already existed, and which was only refortified. Whether remains of the other towers still exist is doubtful. Adinolfi (*Roma nell' eta di Mezzo*, ii. 50) recognises them in the Tower of the *Colonna alle tre Cannelle*, and the *Torre del Grillo*, which belonged first to the Carboni, then to the Colonna, and from them passed to the Conti.

the desire of these barons and had in consequer
offended them.[1] They no sooner discovered th
Anibaldi, a relative of the Pope, wished to inv
the precincts of their fortress, than they attacke
him and, hurling down projectiles from the battl
ments of the Colosseum, sought to hinder the progre
of his tower.[2]

The hostile parties brought kinsfolk, vassals, and
tenantry to their aid, and war was fiercely waged
day and night with projectiles, with sword and fire
Rome resounded with the clash of arms and the thud
of falling stones, while the Pope remained shut up
in the Lateran, the quarter where his friends the
Anibaldi dwelt, but where not even in the remotest
chamber of the palace did he escape the din of war.
The brave Capocci took Pandulf's fortress by assault
on August 10, and pushed as far as the Lateran,
where they destroyed the fortified remains of the
Aqueduct of Nero. But the Pope's gold fought with
greater efficacy against the democrats, and the
wearied people desired peace. Innocent proposed
the following treaty: four umpires were to decide
the quarrel between the opposition Senate and
Richard Conti, and were also to decide on the
election of the Senate; the Pope would yield to

[1] Ep. iv. 206 and Panvinius, *History* (MS.) *of the House of Frangipani.* The Pope forced Terracina to take the oath of vassalage to the Church. The town, however, also retained its feudal relations with the Frangipani.

[2] *Gesta*, c. 139: *prohibentib. Jacobo Fraiapane et relicta Naionis Frajapanis. Najone* is the abbreviation of a name, or else we must read *Rainone.* In a document of 1207 appears *Jacoba uxor qd. Gratiani Frajapani.*

ir decision for the year. These terms offended popular party, who foresaw their own defeat. bell of the Capitol summoned a parliament, and hn Capocci rose and said:—"The city of Rome not accustomed to yield to the Church in her nflicts, is not used to conquer by judicial sentences ut by power. To-day, however, I see that she will e defeated; contrary to the decision of the people nd to the oath of the Senators she surrenders the omains to the Church, and confirms the Senate to he Pope. If, in spite of our numbers and power, we bow to the Pope, who will again dare to resist him? Never did I hear of a peace so disgraceful to the city, and I will refuse in every way to vote for it."[1] The opposition of the demagogue induced John Pierleone Rainerii also to record his veto.[2] The parliament dispersed in uproar and recourse was again had to arms. The Pope triumphed; the four umpires adjudged him the right of electing the Senate, and the Roman commune with this decision lost an essential part of its political power.

Pope cquires e right of ecting the enate.

Innocent with great sagacity had attained his object, and with equal sagacity now made but moderate use of his victory. Unable to find a single man who was welcome as Senator to both parties, he agreed to the election of fifty-six Senators, foreseeing, however, the unfortunate consequences in

[1] *Gesta*, c. 141.

[2] John Pierleone again quarrelled with the Pope. He plundered Tusculan estates and was excommunicated. On his death (1204 or 1205) it was only after his heirs had made restitution to the Pope that he was accorded Christian burial.

store for them. This plural government was permanently set aside six months later, when the new Senator, apparently the energetic Pandulf of the Suburra, restored quiet to the city.[1] The firmness of the Pope achieved great success. After the strenuous efforts of five years he subjugated the Capitol. Thus the Roman people forfeited in succession their three great rights: the Papal Election, the Imperial Election, and the Election of the Senate.

Peace between the city of Rome and Innocent was finally concluded in 1205. The Pope changed the form of the civic government; the executive power lying henceforward in the hand of a single Senator or Podestà, who, directly or indirectly, was appointed by the Pope. A period of greater tranquillity for the popes, although frequently interrupted by conflicts, began in Rome with this constitution.[2]

A single Senator is appointed by the Pope, 1205.

[1] According to a manuscript history of the Senate in possession of Don. Vincenzo Colonna in Rome, the first sole Senator, under the new system, was Pandulf, as Vitale supposes. *Pandulphus de Suburra Romanor. Consul* appears three times as podestà in Perugia, 1209, 1210, 1217. (Acts in *Archives of Perugia.*)

[2] Raynald wrongly places the war in 1208. The events are: flight of the Pope, in the spring of 1203; new election of the Senate, November 1203; return of the Pope between March 6 and 13, 1204; followed immediately by a new election. *Gregorius Pierleone Rainerii*, Senator. He resigns, November 1204. Furious civil war during his administration. Attempts to make peace, November 1204. Fifty-six Senators are elected until April 1205. A single Senator.

CHAPTER II.

1. Sicilian Affairs — Innocent III. becomes Frederick's Guardian — Markwald — Walter of Brienne—The German Barons in Latium—The Communes in Latium — Richard Conti becomes Count of Sora — The Pope returns from Latium to Rome.

While at war with the Roman commune, Innocent III. was deeply involved in the affairs of the political world, which had constituted him arbitrator of Europe. Other histories describe these affairs; the quarrel for the German throne and the affairs of the kingdom of Sicily, which henceforward became of the highest importance for the empire, the Papacy, and Italy, alone concern the history of the city.

The widow of Henry VI. found herself defenceless against the storms which broke over Sicily after the Emperor's death. She had her son (a boy of three) crowned in Palermo on May 17, 1197, but the heir of a hated conqueror had but little prospect of ruling the kingdom at a later date. The Sicilians rose in just national hatred against the Germans, who could not appear otherwise than as oppressors of their country, which under Norman laws had prospered in wealth, industry, and noble arts. The temperate Southerners were disgusted by the ex-

cesses of the common soldiers and by the unbridled greed of rude squires and knights, who regarded the wealthy island as a paradise in their quest of fortune. A classically educated Norman, a historian who combined seriousness with poetic fire, gave vent to the national feeling of Sicily on the fall of the Norman dynasty in a passionate outburst.[1] The patriots raised the cry, "Down with the foreigners." Sicilian Vespers threatened. Constance yielded to the demand of the nation and banished all Germans. Bewildered among the various parties who struggled for supremacy, and anxious for the future of her son, Henry's pious widow sought protection from the Pope, with whose name Italy re-echoed. Never would her husband have recognised the feudal right of the sacred chair. She recognised it from necessity, and Innocent offered her the ratification of the crown for her son, but at the exorbitant price of the renunciation of the ancient ecclesiastical liberties of the Norman kings. After long struggles Constance yielded, and a cardinal went to Sicily with the letter of investiture. But on November 28, 1198, and before his arrival in Palermo, the Empress died, leaving the Pope the guardian of her son.[2] Constance ended the line of Norman sovereigns of Sicily and became the ancestress of the Sicilian Hohenstaufens—the fatal Pandora of the German empire.

Death of Constance of Sicily, 1198.

[1] We may read the letter of Hugo Falcandus, which serves as an introduction to his excellent history of Sicily. Murat., vii. 251.

[2] *Gesta*, c. 23. The document of investiture of November 19, 1198, in Huillard, *Hist. dipl. Friderici II.*, i. 16.

The work of Henry VI. also fell to pieces in Sicily. For Innocent not only succeeded in restoring the feudal lordship of the Church in the island, but became the regent and guardian of the heir to the throne. Papal protection preserved the crown of Roger to the youthful Frederick, but never did a like patronage cost a prince so dear.

Innocent III. Regent of Sicily.

Innocent undertook the government of the kingdom with the sincere desire of securing Henry's son upon the throne, of delivering him alike from his German and from his Sicilian oppressors, and of making him the lifelong grateful vassal of the Church.[1] It cost him tedious efforts to obtain recognition of the Church's supremacy and to subjugate Henry's German counts; for it was a more difficult matter to drive these feudal lords from their principalities in Apulia, than from those in Central Italy. Some ruled in the frontier lands of the Liris, where Dipold of Vohburg, Count of Acerra, was captain of the fortress of Arce, and where Conrad of Marley held Sora and the castle of Sorella planted on the rocky height above.[2] These nobles tyrannised, as had formerly the immigrant Norman barons, over a reluctant population, struck terror into Campania and Apulia, or entered and

[1] He wrote to him in his letter of condolence at the end of January 1199: *exultes in Domino—qui pro temporali spiritualem tibi patrem providit, et in matris obitu matrem Ecclesiam—deputavit, ut factus vir et in regni solio solidatus eam amplius venereris per quam te noveris exaltatum.*

[2] With Dipold were his two brothers Otto and Siegfried. All these particulars are given by Abel, *Kaiser Otto IV. und König Friedrich II.*, Berlin, 1856.

devastated papal Latium.[1] They made common cause with Markwald, when the seneschal, driven from Ancona, came to his county of Molise, and after the death of Constance usurped the office of protector of Frederick (in virtue of the confidence shown him by the Emperor Henry, who when dying had entrusted him with his will and charged him to see it carried out). S. Germano fell into his power; he negotiated with the cardinals and exchanged S. Germano for Veroli in the summer of 1199.[2] While his allies Dipold and Conrad held Apulia, Markwald crossed to Sicily to obtain the guardianship of Frederick. Innocent raised troops in the State of the Church, and also acquired troops from the Tuscan Confederation; the Romans, however, at the time at war with Viterbo, afforded him no aid in affairs foreign to their own objects. Nor had the Pope any right to make use of the Roman militia unless with the sanction of the city, and when he paid these troops as mercenaries. The new papal army, commanded by the able Marshal Jacopo, a cousin of the Pope, was taken to Sicily to drive Markwald from the field.[3] At the same

The feudal counts of Henry VI. resist the Pope.

[1] The *Chronicle of Fossa Nova* records such a predatory expedition of Dipold which extended as far as Ripi and Torrice as early as the year 1198.

[2] *Gesta*, c. 23. The Pope's letter to the Sicilians of August 1199, in Huillard, i. 32. Markwald deceived Octavian, Cardinal of Ostia, and uncle of Oddo de Polo (Ughelli, i. 67). With him were the Cardinals Guido and Hugolin (afterwards Gregory IX.) and also the Consul Leo de Monumento. Concerning Markwald: E. Winkelmann, *Philipp von Schwaben und Otto von Braunschweig*, vol. ii. (1878) chap. i.

[3] Jacobus, Conti of Anagni in 1202, Justiciar and Captain of Cam-

time a French adventurer, experienced in war, Walter, Count of Brienne, who had shortly before married a daughter of Tancred, the last Norman king, entered the Pope's service. In the name of his wife he claimed Taranto and Lecce, fiefs which Henry VI. had in 1194 awarded, but never given, to William, Tancred's unfortunate son. Walter was, in fact, another pretender to the crown of Sicily, and presumably the avenger of the Norman house. The times of Robert Guiscard were repeated, for the world swarmed with vagrant warriors. Errant knights from Germany and France fought for sovereignty in Sicily, and valiant crusaders, among them influential cousins of Walter, came out from France, Flanders, and Venice, and with unexampled bravery conquered the great city of Constantinople, to found not only a Latin empire but several principalities. In 1200 Walter came to Rome with his wife Alberia, with Alberia's mother, the widow of Tancred, and with an imposing retinue.[1] He demanded Sicily, Lecce, and Taranto from the Pope as feudal lord. The demand placed Innocent in a difficulty. After long consultation he recognised the justice of Alberia's claims and actually promised the fiefs to her husband. But Walter's oath to refrain from ever injuring Frederick as King of

Walter of Brienne, papal captain.

pania and Apulia, later received Nympha for his lifetime. He had acquired wealth in Sicily and lent money to the Pope. Ep. xv. 114.

[1] Sibylla and her children William, Alberia, Constance, and Mandonia had been banished to Hochenems in Vorarlberg by the perjured Henry VI. They were released by Philip. But William was already dead. Sibylla went to France, where Walter married Alberia. Raumer, ii. 613.

Sicily, on the contrary to maintain the fidelity of a vassal, does not exonerate the Pope from the charges made by Frederick's counsellors, and Frederick himself afterwards reproached the Church with having put forward a pretender during her period of guardianship.[1] Meanwhile Innocent rejoiced in making use of one of the foremost captains of the age in his own and, as he supposed, in Frederick's service, and it was thus Innocent who at this early date opened the way for the French into the kingdom.

When Walter appeared in Apulia in 1201 with a body of French knights eager for war, everything turned to the disadvantage of the Germans. We pass over military events in the two Sicilies, where Walter, Dipold, and Markwald, adventurers of their century, filled with courage, craft, and energy, were conspicuous. They lacked, however, the good fortune of the Normans or of Simon de Montfort. In September 1202 Markwald died suddenly in Sicily, the country which as regent he had gallantly defended against the enemy. His death released Frederick from a tyrannical defender, and the Pope from one of the worst enemies trained in the school of Henry VI. Walter, at first victorious over Dipold on the field of Cannæ, fell mortally wounded into the power of his enemy in June 1205, and died a knightly death in the castle of Sarno. The now power-

Dipold and Markwald.

[1] *Comitem G. de Brenna, qui velut gener Tancredi regis intrusi mortem nostram et sanguinem sitiebat, sub defensionis nostræ specie misit in regnum*, February 1246. Frederick to the French; Huillard, *Hist. Dipl.*, vi. 389.

ful nobles became temporarily reconciled to the Church.[1]

To Southern Italy, afflicted by war and famine, peace returned but slowly. Henry's feudal counts were defeated. The last of these tyrants on the Liris, Conrad of Marley, had been overcome at the beginning of the year 1208. Sora surrendered to the Abbot Roffried of Monte Casino and Richard Conti on January 5; the fortresses of Sorella and Arce capitulated about the same time, and these frontier lands were thus delivered from a tyranny which had lasted seventeen years.

Sora surrenders to the Pope, 1208.

Having obtained these fortunate successes, Innocent left Rome on May 15, 1208, for S. Germano and Sora, to adjust the affairs of the Neapolitan kingdom in a parliament of the barons. For in spite of Frederick having attained his majority, the Pope still regarded himself as ruler of his kingdom. Shortly before, in the autumn of 1207, he had assembled in Viterbo the bishops, counts, podestàs, and consuls of the patrimonies of Tuscany, Spoleto, and the March of Ancona, and had issued a statute which confirmed the rights of the Church, recommended peace to the country, and appointed the tribunal of the papal rectors as the court of ultimate appeal. This parliament, however, formed the basis of the ruling power of the Pope in these newly ac-

The parliament of Viterbo, 1207.

[1] An exhaustive account of these affairs in the two Sicilies during the quarrel for the throne is given in Winckelmann, vol. ii. The descendants of Walter of Brienne again received the countship of Lecce under the Angevins, and became extinct in 1356 in the celebrated Duke of Athens and Signor of Florence. See Fernand de Sassenay, *Les Brienne de Lecce et d'Athènes*, Paris, 1869.

quired provinces of the State of the Church.[1] The barons of Latium also received Innocent on his journey as obedient vassals and accompanied him with pomp from place to place. Colonna, Frangipani, Conti, Anibaldi, Orsini, Savelli, the counts of Ceccano, and other lesser noblemen shared between them the possession of the Campania and the Maritima. The barons of this classic land of Virgil, descendants of those conquerors of German race who had formerly wrested this territory from the Latins and had bequeathed it to their heirs, still sat ensconced within their gloomy fortresses. Many traced their origin to the period when the Lombards filled Latium with feudal families; others were descendants of Saxons and Franks who had come in the train of the emperors, from whom and from the popes they had obtained feudal investiture. The house of the counts of Ceccano, as an ancient territorial dynasty, was dominant in the Volscian Mountains, and was highly respected in the Church for its wealth and dignity. Even before the rise of the Colonna these nobles were already powerful, Gregory, one of their ancestors, being mentioned as Count in the time of Henry IV.[2] The German origin of the family is shown by the names of Guido, Landulf, Godfrey, Berald, and Raynald which sur-

German provincial nobility in Latium.

The counts of Ceccano.

[1] *Gesta*, c. 124, 125. Ep. x. 131, 132. Bull *Univ. fidelib. per patrim. B. P. constitutis. Viterb. IX. Kal. Oct. Pont. N. a. X.* On the same day he issued an edict against heretics, which he ordered to be inscribed in the communal statutes.

[2] The *Chronicle of Fossa Nova* records his death in 1104. *Obiit Gregorius Comes Ceccani, 12 Kal. Oct. feria III.* First mention of this family of counts.

vived among them. They owned several places in the present division of Frosinone, holding them from the Church. The same John of Ceccano, who awaited Innocent at Anagni with a retinue of fifty knights (his vassals), was confirmed in his feudal possessions by the Pope in 1201.[1]

While these counts ruled over Southern Latium, other vassals of the Church formed other houses destined to a longer or shorter existence. Such were the lords of Sculgola in the Volscian Mountains, descendants of the German race of Galvan and Conrad;[2] such the barons of Supino; the Guido of Norma, the lords of Colledimezzo bearing the names of Lando and Berald, and other vassals of Lombard origin.[3] The Colonna of Palestrina, moreover, pene-

[1] Deed in Theiner, *Cod. Dipl.*, l. n. 45. John, son of Landulf and Egidia, married Rogasinta, daughter of the Marsian Count Peter de Celano, in 1189. His sister Mabilia married Count Jacopo of Tricarico in 1182 (*Chron. Fossæ Nov.*). John's uncle was Jordan, Cardinal of S. Pudenziana. The Colonna Archives contain many documents concerning this family, as well as John's will, dated April 5, 1224. He owned: Ceccano, Arnaria, Patrica, Cacume, Montacuto, Julianum, S. Stephanum, Magentia, Rocca Asprano, Prosseum, Postertium, Carpinetum, and rights in *Castrum Metellanici*, in Alatri, Frosinone, Turrice, Ceprano, Piperno, Setia, Nympha. His children were Landulf, Berard, Thomasia, and Adelasia.

[2] Cencius, fol. 157: *Gualganus de Sculcula recognovit castrum ips. juris b. Petri esse, et habere illud in custodia.* Document of July 13, 1158, the earliest concerning this family with which I am acquainted. There are documents of *sæc.* 13 and 14 in the Colonna Archives; the oldest contains the will of *Conradus de Sculgula fil. qd. dni Galgani*, of January 1, 1270. Conrad's son Galganus had three sons: Conrad, Simon, and Godfrey, Cardinal of S. Giorgio in Velabro. Parchment deed of February 28, 1270.

[3] Collismedii, a ruined fortress in Volscian territory. The name of the place still survives.

trated ever further into the heart of the Campagna, where they already owned Genazzano and Olevano, and portions of Paliano and Serrone;[1] while the Frangipani had acquired the greater part of the territory which stretches from Astura to Terracina in the Maritima.

The agricultural province of Latium, devoid of trade and industry as at the present day, was in general the seat of great and petty territorial barons; towns of any importance there were none. The majority of places were enclosed with walls (*Castra*), had a castle built on a rock (*Rocca* or *Arx*), usually of Saturnian construction, consisting of primitive circles of Cyclopean masonry. In these lived the baron or his vicar, or a castellan of the Pope, the serfs who were bound to the soil remaining crowded together in a wretched place at the foot of the rock.[2] Such places with the name of Rocca still linger in the mountain districts of Latium, living memorials of the Middle Ages which have not yet passed away. The ruler of these castles was a petty monarch within his district, the owner of the soil and arbiter over the life and death of his subjects. All judicial power emanated from him, since he possessed the *merum et mixtum imperium*, the supreme criminal

Baronial rule in Latium.

[1] On December 21, 1232, *Oddo de Columpna dom. Olibani* sold his share of *Castr. Paliani* and *Serronis* to the Church. Cencius, fol. 140.

[2] *Rocca et Castrum Paliani*, *Rocca et C. Seronis*. But also *Arx et C. Fumonis*, where a steward or provost of the Pope dwelt. Nympha, Tiberia, Norma, Larianum, Falbateria, even Frosinone were *Castra*. On the other hand, *civitas Tusculana cum arce ejusd. civitatis*. In deeds of Latium we find the formula: *quæcunque civitas, seu castrum vel Baro*.

and civil justice. The popes were too weak to wrest these important privileges from the territorial nobility, as Frederick II. did, later, in his kingdom, when, to the strengthening of the monarchy and the benefit of his people, he broke down the defiance of the feudal lords. Within the papal states the barons continued to retain the supreme jurisdiction, and that the popes themselves frequently bestowed this right upon them is shown by various documents of the thirteenth century. Baronial jurisdiction was exercised, moreover, by convents and churches, which by donations and purchase had become possessed of a disproportionately large part of the estates of the Campagna. If *Castra* still formed a commune of free men (*communitas* or *populus*) under consuls, their municipal existence nevertheless was greatly restricted by the encroachments made on them by the jurisdiction of the secular or spiritual ruler. The predominance of a rude and tyrannical nobility, unchecked by municipal influences and untouched in its lonely fastnesses by the progress of time, explains the circumstance that even down to the present day Latium remains behind all the other provinces of the Church. The communes, which throughout the rest of Italy shook off feudal barbarism and fostered a national culture, never developed in this district, thinly inhabited by peasants and agricultural labourers, over whose wide-spread wastes barons and monks remained the rulers.

Episcopal cities in Latium.

Only a few large places (from ancient times the seats of bishops), headed by consuls or podestàs, still asserted themselves as *civitates* or city communes

under the protection of their bishops and the popes. They were divided within themselves into the naturally hostile classes of free citizens (*populus*) and knights (*milites*). Anagni, Veroli, Velletri, Alatri, Frosinone, and Ferentino never passed into the exclusive power of a baronial dynast. On the contrary they possessed their municipal constitution, the right of electing their rectors, and the right of making treaties of every kind.[1] Since, notwithstanding, barons with various prerogatives clung like vampires to the soil, the papal rector had no light task in adjusting conflicting rights, or in soothing the quarrels between communes, lords, and knights. The whole of Campania and the Maritima between the Volscian Mountains and the sea, (where Terracina was the only town of any importance in possession of a communal constitution of its own), was temporarily governed by a papal legate with the title of *Rector Campaniæ et Maritimæ*. This former office of Count of the Campagna (*Comitatus Campaniæ*) was administered now by distinguished Roman laymen endowed with merely secular authority, now by prelates and cardinals with twofold power.[2]

Campania and the Maritima.

[1] Anagni and Velletri had podestàs; in Ferentino *Podestas, Consil. et Pop.* (Theiner, i. n. 195, A. 1241). When Gregory XI. took Suessa under his protection in 1229, he said in his bull: *concedimus vob., ut in preficiendis vob. Rectorib., et in contractib. venditionis . . . habeatis ad instar prædictar. civitatum Campanie libertatem*, and previously: *sicut Anagniam et alias civitates.* Theiner, i. n. 153. Knights and citizens made war on one another in Anagni; bull of Gregory says *dil. filiis rectorib., militib. et pop. Anagninis*, August 11, 1231, n. 161.

[2] After the restoration accomplished by Innocent III. the provinces

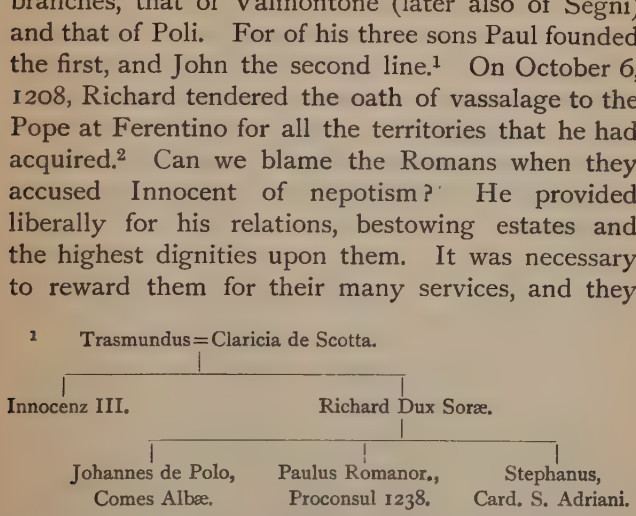
Innocent III.'s journey through Latium was taken with the purpose of securing the vassals and cities in their fidelity to the Church, and of giving, at a diet at San Germano, a firmer organisation to the province of Sicily, governed by King Frederick. At the same time the Pope had yet another object. He created a principality on the Liris for his brother Richard. The young King who ceded it thereby repaid his obligations to the Pope. While Innocent remained in the monastery of Fossa Nova near Ceccano, Richard Conti, amid the braying of trumpets, was proclaimed Count of Sora by a Sicilian protonotary. Besides the ancient town his fief comprised a considerable territory, Arpino, the home of Cicero and Marius, Arce, Isola, and other places. Frederick again ratified Richard in the possession of these territories in 1215, when the King dissolved the union between them and his realm, and formally recognised them as fiefs of the Church.[1] Thus Innocent created a family estate as an outwork beyond the Liris, and extended the State of the Church at Frederick's expense. Richard's power might now be called princely. He already owned the fiefs of the house of Poli, received in the same year (1208) Valmontone from

Richard Conti, Count of Sora, 1208.

of the Church formed the following groups :—*Campania et Maritima*, *Patrim. B. Petri in Tuscia*, *Ducatus Spoletanus*, *Romandiola*, *Marchia Anconitana*. For *Campania et Marit.* we occasionally find the ancient expression *Comitatus Campaniæ*.

[1] Document of Speyer, October 11, 1215, Murat., *Antiq. Ital.*, v. 663. In 1221 Frederick II. wrested Sora from the Count, whom he threw into prison. The Conti in vain claimed back the fief from Nicholas IV. in 1288. Ratti, *Hist. della fam. Sforza*, ii. 231.

the Pope, and consequently became the ancestor of the house of Conti, which was divided into two branches, that of Valmontone (later also of Segni) and that of Poli. For of his three sons Paul founded the first, and John the second line.[1] On October 6, 1208, Richard tendered the oath of vassalage to the Pope at Ferentino for all the territories that he had acquired.[2] Can we blame the Romans when they accused Innocent of nepotism? He provided liberally for his relations, bestowing estates and the highest dignities upon them. It was necessary to reward them for their many services, and they


1 Trasmundus = Claricia de Scotta.
Innocenz III.
Richard Dux Soræ.
Johannes de Polo, Comes Albæ.
Paulus Romanor., Proconsul 1238.
Stephanus, Card. S. Adriani.

According to the deed of partition of May 3, 1226 (Contelori, n. 4): Paul received Valmontone, Sacco, Fluminaria, &c.; John Turrim Urbis—Ponte Mammolo, Monte Fortino. John, son or grandson of Paul, put an entail for his son Adenulf and his grandson John on Valmontone, Gabiniano, Sacco, and Fluminaria. The document of August 11, 1287, contains the first instance of the right of primogeniture known to me in Roman territory (Conti-Ruspoli Archives, *Busta* 27, 8). The formula: *teneatur restituere . . . ille primogenitus . . . alteri primogenito suo masculo nato ex legit. matrim. in infinit. et in perpet., ita quod successive dicta castra et tota Terra præd. et Baronagium semp. applicentur et pervenient ad unum sol. masculum hæredem primogenitum.* (*Act. in Castro Vallis Montonis in Majori Palatio Curiæ dicti Domini.*)

[2] Ep. xii. 5. *Nob. viro Ricardo germano nro. Sorano Comiti, dat. Lateran. VI. Kal. Martii a. XII.*, in which the article of October 6, 1208, is inserted. The investiture of the fief was made with the chalice (*per cuppam deauratam*).

all appear to have possessed conspicuous qualifications.

On November 12, 1208, the Pope returned to the Lateran, where he was received by the Romans with every honour. The city was now completely restored to quiet. Although the commune occasionally attempted to set up a senator of their own election, the Constitution of 1205 was nevertheless conscientiously upheld during the lifetime of Innocent III.[1]

2. Innocent III.'s attitude in the Quarrel for the German Throne—Otto of the House of Guelf, and Philip of Swabia — The Capitulation of Neuss—The State of the Church and its Confines recognised in Imperial Law—Protest of Philip's Party against the Interference of the Pope in the Royal Election — Coronation of Peter of Aragon in Rome.

Innocent found in the German empire greater difficulties than those presented by the State of the Church. A twofold election following on the death of Henry VI., and the summons of the factions made the Pope the protector of the empire. The Guelf party, enemies of the Hohenstaufen hereditary monarchy and the allies of England, whose King Richard had been humiliated by Henry VI., stood opposed to the majority of the German electors.

[1] *Chron. Andrense*, d'Achery, *Spicil.*, ii. 843, whence it appears that the Senator then in office voluntarily retired: *Senatorem urbis, qui quasi ipso invito dominium tenuerat, sponte cessurum denuntiat.*

Otto, the youthful son of Henry the Lion and of the English Princess Matilda, the protégé and vassal of his uncle Richard, who had made him Duke of Aquitaine and Count of Poitou, raised his house from the ruin into which the Hohenstaufens had thrown it, by the help of English means and of the bishops of the Lower Rhine, whose aid he had purchased. On July 12, 1198, he was crowned King by Adolf of Cologne at Aachen. But the greater number, and also the most powerful, of the princes had already elected the young Philip of Swabia— the brother of Henry VI. and husband of Irene (daughter of the Byzantine emperor, and widow of Roger III. of Sicily). Philip was crowned in Mainz on September 8.[1]

Quarrel for the throne in Germany between Otto and Philip.

When, in order to preserve the crown to the house of Hohenstaufen, Philip, once Frederick's guardian, became the usurper of his rights, and when the princes set aside the oath which they had sworn to Henry's infant son in 1196, they might plead extenuating circumstances. If Innocent III. did not defend the rights of his ward, he might allege with perfect right that he had only undertaken to protect Frederick in his Sicilian inheritance, while Philip was the guardian appointed by Henry VI. in Germany. Like Gregory VII., Innocent made use of a quarrel for the throne to strengthen the Papacy at the cost of the empire. And the Papacy was strong in its union, the empire crippled by dis-

[1] Concerning these imperial questions see O. Abel, *König Philipp*, Berlin, 1852, and E. Winkelmann, *Philipp von Schwaben, &c.*, vol. i. cap. 3.

union.[1] The Acts of the great imperial trial show with what statesman-like judgment Innocent extracted the greatest profit from the quarrel for the Church. In the face of the needs of earthly power, it were vain indeed to expect that a pope would sacrifice the advantage of his Church for an ideal justice. From the beginning Innocent was obliged to favour the son of Henry the Lion, whose family was regarded as a support of the Church. If he desired to dethrone the Hohenstaufens once for all and to set up the Guelfs in their place, who can blame him? "I cannot," he said with perfect sincerity, "I cannot favour Philip, him who has just seized the patrimony of the Church for himself, who calls himself Duke of Tuscany and Campania, and asserts that his authority extends to the gates of Rome, yea even to Trastevere."[2] Could he venture to require the elevation of Frederick? The son of Henry VI. would again have united Sicily with the empire. The popes fought the Hohenstaufen design — the favourite scheme of Henry VI. — to restore the imperial power and found a hereditary monarchy by means of the subjugation of Italy and the destruction of the State of the Church. They dared not permit the foundation of a hereditary monarchy; not for the ideal reason that the empire, delivered from the hereditary rights of a dynasty, should, like the elec-

Innocent III. favours the Guelf Otto.

[1] *Eccl. per Dei gr. in unitate consistit, et imp. peccatis exigentib. est divisum.* Innocent to Philip's envoys. Baluz, i. 693.

[2] *Deliberatio D. P. Innoc. super facto imp. de trib. electis*, Ep. 29, in which he enumerates all the persecutions inflicted on the Church by the Hohenstaufens.

tive papal monarchy, be ruled only by "the wisest and most pious of emperors"; but from the fear that a strong Germany would oppress all other countries and also the Church. The popes were the natural enemies of the monarchical unity of Germany, as also of Italy. We have consequently no difficulty in divining the reason that inspired Innocent III. to represent to the electors that Germany must never become a hereditary kingdom.[1]

In the celebrated document which he sent to Germany as the result of his deliberations on the quarrel that divided the empire, he explained with masterly skill all his arguments for and against both candidates. His language was in the main that of Gregory VII. and Alexander III., whose audacious views of papal power his own, however, surpassed. In Carolingian times, when the popes had scarcely discarded the modest vestments of bishops, they regarded the empire as the theocratic organisation of this world in which the visible Church took shape in a political system. But after the time of Gregory VII. the popes degraded this empire to the idea of merely material power, and saw in the emperor nothing more than the chief vassal of the Church, to whom he owed his investiture, and in whose defence he was to draw his rude temporal sword as secular judge for the suppression of heresy.[2] While the

His view of the subjection of the empire to the Church.

[1] Letter 33, of March 1, 1201.

[2] In the *Reg. Imp.*, Ep. 32, to Otto, Innocent III. represents the imperium merely as *materialis gladii potestas* for the defence of the faith and the extermination of heresy.

Church of God, that is to say the Papacy, was the sun that illuminated the universe, the empire (according to the opinion of the priests) moved within its orbit only as the overcast moon in the cloudy spheres of night, and this adroit play of monkish fancy penetrated the minds of men, as were it an astronomical fact.[1] The Church arose as a sublime spiritual power, as the universal ideal, and the empire sank both in idea and in reality. The subtle philosophy of the popes measured the origin of the princely power, and thus reached views which we now call democratic. Every emperor conscious of his own dignity was forced to revolt against opinions which repeated the principles of Hildebrand, namely, that the royal power stood far below the priestly, that the pope, as the representative of Christ, "through whom kings govern and princes rule," was lord of the earth; that the princely office was derived from the tyranny of Nimrod, which was a punishment imposed on the Jews, while the sacerdotal office alone was derived from God; that the pope was judge and orderer of the empire, since the

[1] Letter i. 401 to the rectors of Tuscany: *sic regalis potestas ab auctor. pontificali suæ sortitur dignitatis splendorem.* See also *Reg. Imp.*, 32, to Otto. It was harmless enough to say: *cum Sacerdotium et Imp. duo sint luminaria (majus et minus) in Eccl. firmamento, quib. mundus in spiritualib. et temporalib. veluti die ac nocte clarescat.* This simile, already employed by Gregory VII. (VIII., Ep. 21), was developed by monks with childish fantasy. See the work of the Cologne Cistercian Cæsarius Heisterbach (about 1220), *Illustrium Miraculor. et Historiar. Memorabilium*, lib. xii. p. 177: the Church is the firmament; the sun, the Pope; the Emperor, the moon; the day, the clergy; the night, the laity; the stars, the bishops and abbots.

empire had been transferred from Byzantium to the land of the Franks through the Church, and since the emperor only received his crown from the pope; that, in conformity with its origin and its aim, the imperium appertained to the sacred chair; which asserted, in short, that the pope held the two swords, the secular as well as the spiritual—a theory which Dante afterwards so energetically combated in his demand for the severance of the two powers.[1]

While Otto's electors, heedless of consequences, rendered the empire subject to the papal tribunal, the princes who supported Philip rose in suspicion against the Pope's interference in the imperial election. They warned him to keep within his limits; they even threatened to bring their King by force of arms to be crowned in Rome. The Pope replied to their protests that he did not oppose the electoral right of the princes, but that they themselves must recognise that the right of examining into the qualifications of the elect and of making him emperor belonged to the pope, who anointed, consecrated, and crowned him. Thus the historic attitude of

[1] Concerning these maxims the Pope's answer to Philip's envoys (*Reg. Imp.*, 18) is very important: *Huic est, quod Dominus sacerdotes vocavit Deos, reges autem principes.* Further, Ep. 30, 62. Innocent expressly says: *imperium noscatur ad eam (sedem Apost.) principaliter et finaliter pertinere. Reg. Imp.*, n. 29. *Sacerdotium* was appointed *per ordinationem divinam, regnum autem per extorsionem humanam. Reg. Imp.*, 18. In the remarkable introduction to the constitutions of Melfi, Frederick himself said (A. 1231) that princes were created owing to human necessity, to the distinction between Mine and Thine, which succeeded the natural community of property, but also by the Divine disposition.

emperor to pope had become entirely reversed in the course of time.[1]

Innocent withheld his decision for three years, during which Germany remained exposed to all the horrors of civil war; on March 1, 1201, he pronounced in favour of the son of Henry the Lion. The Romans revived their ancient claims regarding the imperial election, but only to recognise the papal decision: for the Guelf was proclaimed King of the Romans on the Capitol.[2]

Innocent III. recognises the election of Otto, March 1201.

The price which Otto paid for his recognition was the renunciation of the ancient imperial power throughout the greater part of Italy, and the ratification of the independence of the new ecclesiastical state. He submitted to a treaty imposed upon him at Neuss on June 8. There for the first time the boundaries of the State of the Church were determined almost on the lines on which they have remained down to the latest revolution. The State comprised the territory from Radicofani to Ceprano, the Exarchate, the Pentapolis, the March of Ancona, the duchy of Spoleto, Matilda's property and the county of Brittenoro, "with other adjacent territories as they had been defined in many privilegia promulgated by the emperors from Lewis downwards."[3] Otto, without

The Capitulation of Neuss, June 8, 1201.

[1] *Reg. Imp.*, Ep. 14, and also later when the Pope had rejected Philip, Ep. 61. The explanation of Innocent, Ep. 62.

[2] Roger of Wendover, *Chron.* (ed. Coxe, London, 1841, vol. iii. 142): *in Capitolio autem et per totam urbem declamatum est: Vivat et valeat imperator Otho.*

[3] *Juram. Ottonis, act. Nuxiæ in Colon. diocesi a* 1201, *VI. Id. Junii* —*Reg. Imp.*, Epp. 77. *Mon. German.*, iv. 205. Reference is made to the Diploma of Lewis I., which had been held as genuine since the

mention of Frederick's rights, swore to preserve Sicily to the Church; and with respect to the two Italian confederations and to Rome, promised to conform to the will of the Pope. This was a matter of importance, for the Pope intended to remove the Lombard league from every imperial influence. The submissive Guelf passed over the rights of the empire in silence. The German feudal principalities in the Romagna and the Marches, the hitherto unquestioned rights of the empire over Spoleto and Ancona, all the institutions founded by Henry VI. for the purpose of restoring the imperial power in Italy and Rome were set aside by this document, which gave legal ratification to all the revolutions accomplished by Innocent. The celebrated Capitulation of Neuss consequently became the first authentic basis for the practical authority of the pope in the State of the Church. It was recognised by all succeeding emperors, and thus the earlier and unauthenticated donations from the time of Pipin became incorporated in a document of indisputable validity.[1] In the face of this great document, can we still doubt that, among all the various motives that induced Innocent to decide for Otto, the strongest was the conviction that Philip would never have granted such important concessions as those which the weaker Guelf was ready to yield?

time of Gregory VII. There is no mention as yet of Corsica and Sardinia.

[1] Nevertheless the Romagna remained imperial until 1278. Concerning these matters see Ficker, *Forschungen zur Reichs- und Rechtsgesch. Italiens*, ii. 469.

The Pope's decision irritated the patriots in Germany. Philip's adherents protested against the legate Guido of Præneste, who had violated their rights. "When have your popes and cardinals heard," they asked, "that your predecessors or their envoys interfered in the election of the Roman kings?" They recalled the former imperial rights over the papal election; previously it had been the emperors who appointed the popes; now it was the popes who appointed the emperors. The Roman Imperium had become a phantom.[1] Pride and patriotism were wounded by the humiliation of the empire under the despotism of papal nuncios, who threw Germany into confusion, divided bishoprics and countries, declared Philip excommunicate and exhorted his subjects to abjure him. The civil war still raged. Victory was now the only means left to Philip to convince the Pope of his rights. He did not despair; the liberal promises, however, which he made to Innocent in 1203, scarcely obtained a hearing. He formed an alliance with the old party of Henry VI. in Italy; in 1204 he sent Lupold (whom he had invested with the bishopric of Mainz, but who had been rejected by the Pope) to the Marches, to call Markwald's followers to arms. The bishop succeeded in gaining several cities to his side and in holding the papal troops in check until 1205.[2] Philip also

German civil war.

[1] *Reg. Imp.*, 61, where the principle of the severance of the two powers is maintained; and Ep. 62, the Pope's answer to Berthold of Zähringen. Philip Augustus, who had formed an alliance with Philip of Swabia as early as July 29, 1198, also protested. Ep. 63.

[2] Innocent admonishes the people of Ancona, vii. 28, appealing to

came to an understanding with the Pope's enemies in South Italy; and Rome also afforded him the opportunity of harassing Innocent by means of party divisions.[1]

While protestations against the usurpation by the Pope of the post of arbitrator were rife in the empire, Innocent showed the world that there were actually kings who voluntarily recognised the Vicar of Christ as the source of royal authority. The young Peter of Aragon, a chivalrous champion of the faith in the wars against the Moors, an inexorable exterminator of heretics, came to Rome in 1204, to be crowned by the Pope. Innocent had himself invited him, for he wished at the same time to urge on Frederick's marriage with Peter's sister Constance. The kings of Aragon had hitherto never coveted any coronation ceremony; their descendant desired it from motives of vanity, and paid an incalculable price for the empty pageant. The Pope sent an honourable escort, among whom was the Senator of the city, to meet Peter on November 8, when he landed on the island at Ostia.[2] The royal guest was lodged in the palace of S. Peter; his coronation, however (November 11, 1204), was not celebrated in the cathedral but

the will of Henry VI. He sent Cencius, Cardinal of S. Lorenzo in Lucina, to them.

[1] *Reg. Imp.*, Ep. 153. *Quidam enim civium Romanor. adversarii tui corrupti pecunia, gravem seditionem adv. nos commoverunt in urbe* . . . thus the Pope wrote to Otto in 1208, assuring him that he did not abandon his cause, although he was deserted by all, and even the Romans revolted. The insurrection is that of 1204 and 1205.

[2] *Gesta*, c. 120 : *Senatorem urbis*—this was at the time Gregory Pierleone Rainerii, shortly before his retirement.

Innocent III. crowns Peter of Aragon as tributary king.

in the basilica of S. Pancrazio outside the gate. The Cardinal-bishop of Portus anointed, the Pope crowned the monarch. Peter swore to remain obedient to the Church and to extirpate heresy; returning to S. Peter's, he laid his crown at the apostle's grave, offered his kingdom as a votive gift to his namesake the Prince of the Apostles, and pledged himself to the payment of an annual tribute to the sacred chair. The fanaticism of this prince, who quite unnecessarily made himself a vassal of the Pope, is significant of the Spanish mind even of these early times; the States of Aragon reproached him on his return with treason to the liberty of his native country, and his fantastic action eighty years later gave the Pope, as feudal lord of the country, the right of taking Aragon from Peter's family and transferring it to a prince of France.[2] But of what importance was Aragon's oath of vassalage compared to the inestimable glory which the same Pope, Innocent III., acquired a few years later, when a successor of William the

[1] *Ordo coronationis Petri regis Aragonum*, in Brequigny, *Diplomata*, vol. ii. 697. *Gesta*, c. 121, which also gives the deed of investiture. A king admitted that which Innocent wished to accomplish: *Cum corde credam et ore confitear, quod Rom. Pontif. qui est B. Petri successor, Vicarius sit illius per quem reges regnant et principes principantur, qui dominatur in regno hominum et cui voluerit dabit, ego Petrus — tibi — summe Pont. — offero regnum meum. . . .*

[2] Zurita, *Annales de Aragon, ad A.* 1204, p. 91. Peter re-embarked at Ostia, touched at Corneto, and gave this town a commercial privilegium, *dat. Corneti m. Nov. A.D.* 1204 (Codex in the Archives of Corneto, called *Margarita Cornetana*, fol. 89 t.). The King fell in 1213 fighting in the Albigensian War, near Castel Maurel, where he had gone to the aid of his brother-in-law Raymond of Toulouse.

Conqueror, who had so ironically repudiated Gregory VII.'s claims to the supremacy of the sacred chair, when the King of England himself, as a tributary vassal, also received his crown from the hands of a papal legate!

3. Revulsion of feeling in Philip's favour in Germany — Philip's Negotiations with the Pope—He is murdered—Otto recognised as King in Germany—His Journey to Rome and Coronation—Battle in the Leonina.

The fortune of war and public opinion in Germany meanwhile turned in Philip's favour. Right, good sense, and advantage triumphed over a narrow-minded and unpatriotic policy. Several princes of the empire, hitherto the most obstinate opponents of the Hohenstaufens, made submission or abjured the Guelf and English party.

On January 6, 1205, Philip, re-elected and recognised also by the princes of the Lower Rhine, was crowned in Aachen by the Archbishop Adolf of Cologne, on the very spot where the same prelate had formerly set the crown on Otto's head. The opposition of the Pope was now the sole hindrance to the universal recognition of the Hohenstaufen on the throne. Innocent no longer refused to hold negotiations with Philip respecting a peace in the empire, and the King answered by a detailed letter. This remarkable document, the justification of all Philip's actions, bears the stamp of a genuine spirit of conciliation and of unadulterated truth. The

Philip crowned in Aachen, Jan. 6, 1205.

declaration, that in everything that the Church laid upon him he was resolved to submit himself to the sentence of the cardinals and princes, while he would keep silence, as religious reverence commanded, concerning all that the empire laid to the charge of the Pope, created the most favourable impression.[1] The Patriarch of Aquileia himself and other envoys, who brought fresh proposals to the Pope, bore witness to the Catholic disposition of the Hohenstaufen. Innocent saw that he had already attained the purpose which he had in view in the quarrel for the crown, that of transforming his post of arbitrator into a papal right recognised by all. For Philip also was forced to bow before him, as Otto had bowed. The revulsion of feeling in Germany compelled the Pope to change his policy, and to accommodate his attitude in matters of statesmanship to circumstances. His negotiations with Philip expose him to the reproach of duplicity, a reproach with which Gregory VII. had been charged in like circumstances. In the beginning of the year 1206 he upbraided John of England and the British nobles for not having given Otto sufficient support; he exhorted Otto to continued perseverance, and urged the German princes to yield him aid. After the middle of the year 1206, however, and after the fall of Cologne in August, the negotiations with Philip became more active. The victorious Hohenstaufen declared himself ready to accord a truce to his rival, a measure of all things most desired by Innocent. In the summer of 1207,

Innocent III. inclines in favour of Philip, who was now victorious.

[1] *Reg. Imp.*, 136 (of June 1206, Böhmer-Ficker, 134).

the cardinal legates Hugolino and Leo consequently came to Germany, to arrange the peace between the two pretenders to the throne. They were, however, unsuccessful. But when Philip, a man of greater goodness of character than real statesman-like capacity, submitted to the conditions imposed upon him in affairs ecclesiastical, he was (to Otto's profound dismay) released from the ban. For the concerns of Italy it was important that Italian princes had received their feudal patents from Philip even before his absolution.[1] As early as the spring of 1208 he appeared as King of the Romans, demanded from the Tuscan cities, to which he had sent Wolfger of Aquileia as his legate, the rights of the empire, which they had appropriated during the interregnum, and obtained entire recognition from them.[2]

He releases Philip from the ban.

Philip's victory over Otto was decisive, even as regards the Pope; but the most difficult task for the

[1] Thomas of Savoy and Azzo of Este. Böhmer-Ficker, 148, 151. The City Archives of Assisi contain a privilegium by which Philip gives the commune the liberty of electing consuls, Ulm, July 29, 1205. *Testes sunt: Heinricus marscalcus de Kalindin. Heinr. de Smalenecke. Frid. dapifer de Walpurc. Wernher' de boulande. Diedo de Rabenspurc. Dat. ap. Ulmam a. d. Incarn. MCCV. Quarto Kl. Aug. Ind. VIII.*

[2] In the Archives of Siena, n. 77, is a treaty between Philip and Siena of June 23, 1208, which is important as regards his recognition in Italy. All citizens, between the ages of fifteen and seventy, swear fidelity to the King, and the restoration of all the property that had belonged to the empire at the death of Henry VI. . . . *Hæc om. suprad. Ego Wolfgerus dei gr. Aquil. Patriar. tocius Italie legat. nom. et vice D. Regis Philippi tibi Johi Struozi senens. Potestati—promitto . . . una cum Henrico de Smalnecge et Eberhardo de Luottere.* Wolfger, Burggrave of Magdeburg, and these two nobles had been sent by Philip as agents to Rome.

envoys of both sides remained in the arrangement of the imperial rights and the ratification of the acquisitions of the Church in Central Italy. Philip, who as duke had owned Matilda's estates and Tuscany, was reluctant to surrender the rights of the empire, as disgracefully as Otto had surrendered them. Whether he repeated the proposal to bestow his royal daughter on a nephew of the Pope, the son of the upstart Richard, and to endow her with the disputed lands of Tuscany, Spoleto, and Ancona as a marriage portion, is questionable.[1] Such a promise had been given in 1205, but it better accorded with the ambition of the first Pope who created a principality for his brother, to make such demands, than with the King to grant them. The real tenor of the offers made at this time is doubtful. It is scarcely likely that they were insignificant; since the demands of the Pope could not have yielded in importance to the concessions granted at the Capitulation of Neuss. Germany, rent asunder, suffered her most private affairs to be brought before the tribunal of Rome, but the voice of wounded national feeling still reaches us from those distant times in the verses of patriotic poets.[2] It was already foreseen that, in case Otto would not agree to an amicable settlement, Innocent himself would

[1] The report was current in the world; the Abbot of Ursperg heard it and it was repeated by Frederick II. in 1226: *Hetruriam mihi adolescenti sublaturus per nuptias Philippum patruum delusit* (*Hist. Dipl. Frid. II.*, t. ii. 933). *Promissa Philippi*, *M. Germ.*, iv. 209, for the year 1205, in which Philip expresses himself willing to give his daughter to a nephew of the Pope.

[2] Walter von der Vogelweide frequently inveighs against the Pope.

consent legally to deprive him of the empire, when the result of strenuous efforts and the hopes of Germany were destroyed by a cruel sword thrust. King Philip fell by the murderous hand of Otto of Wittelsbach at Bamberg on June 21, 1208. The death of the young prince after so laborious a career, and on the eve of victory, is one of the most tragic events in German history. With Philip expired the Hohenstaufen race in Germany. Of the glorious house of Barbarossa one solitary heir survived—Frederick, the ward of Innocent III., estranged from the nation even as a child, and detained amid the storms of misfortune in far-off Sicily. An instant changed the fortunes of the world, linked afresh the destinies of Italy and Germany, and drew both nations, the empire and the Papacy, into a labyrinth of strife, which the course of a century was not sufficient to appease.

Murder of King Philip, June 21, 1208.

Innocent was deeply stirred by the event which suddenly changed his plans. Nevertheless he failed at the time to grasp the immeasurable gravity of the moment. To the politician it appeared an accident which again made him master of affairs and delivered him from a contradictory position; to the priest in the light of a divine judgment pronounced in the contest for the empire.

No choice remained; the Guelf Otto, who had been renounced, must be recognised forthwith. Innocent at once wrote to him; assured him of his affection, pointed out his speedy elevation to the imperial throne, but also showed him in the distance his enemy, the nephew of the murdered

Innocent III. recognises Otto IV.

Philip.[1] A formidable rival existed for Otto in the King of Sicily, the lawful heir to the rights of the Hohenstaufens, a rival whom the Church could arm as soon as she deemed it advantageous. It is highly interesting to watch Frederick's youthful figure in a menacing attitude in the background, from which the Pope himself was soon to summon him, to the ruin alike of Church and empire.

Innocent sincerely desired the settlement of the tedious quarrel for the throne and the legal recognition of his ecclesiastical state therein involved. He had no doubt of obtaining this recognition from Otto, whom he still held bound by the fetters of the Capitulation of Neuss. Germany, longing for peace, did homage to the Guelf. Sorrow, patriotism, and necessity combined to bring about a solemn reconciliation, in which the ancient quarrel between the two houses seemed to be ended, when Otto came to Frankfort (on November 11, 1208), was proclaimed King by all the states of the empire, and soon after affianced himself to the orphan daughter of Philip, his hereditary foe.[2]

The journey to Rome was announced. Previously, however (on March 22, 1209), Otto renewed at Speyer the Capitulation of Neuss. The State of the Church was recognised in its full extent; great concessions concerning the independence of the Church

[1] *Reg. Imp.*, 153: *quamvis nepos ipsius iam tibi adversarium se opponat*—a remarkable presentiment.

[2] Otto did not marry the young Beatrice until August 7, 1212. She gave her hand to the enemy of her house while he was under the ban, and died four days after on August 11.

from the power of the State, by which the Concordat of Calixtus II. lost its force, were added.[1] Of the imperial rights in the provinces now ceded to the Church Otto retained nothing, beyond the miserable *Foderum* on the journey to Rome, embodied in the treaty as it were in derision. For the first time in the history of the empire, a king of the Romans called himself "elect by the grace of God and of the Pope." Otto was forced to acknowledge that he owed his election to the Pope alone. The King swore to that which the emperor was not able to perform.

Italian envoys coming to do homage appeared at Augsburg in January with the keys of their cities, among which were those of great Milan, which hailed with joy the accession of a Guelf. Otto had appointed the Patriarch Wolfger as his legate in Italy, in order that he might watch over the rights of the empire in Lombardy, Tuscany, Spoleto, the Romagna, and the Marches.[2] For even after the peace of Constance and the treaties with the Pope, a semblance of supreme authority remained to the emperor in the cities of Italy, as also several fiscal rights even in the Romagna and the Marches. The popes did not deny this authority. Innocent himself exhorted the

[1] Liberty of electing the chapter to the clergy. Right of appeal to Rome. Renunciation of the *jus spolii*. Extermination of heretics. *Mon. Germ.*, iv. 216; *Reg. Imp.*, 189; Ficker, *Forsch.*, ii. n. 365.

[2] Augsburg, January 13, 1209. Böhmer-Ficker, 259. I note two more documents in the Archives of Siena, n. 83 and 84. On July 3, 1209: the Siennese declare to the Patriarch, as Otto's legate, that they would remain faithful to the Emperor and would preserve the estates of Henry VI. for him. On July 4, 1209: the Patriarch refuses the provisional protection of the property.

cities in Lombardy and Tuscany to obedience to the royal envoy, but reminded this envoy that according to treaty he only occupied Matilda's estates on behalf of the Church.

Otto's journey to Rome, 1209.

When Otto, coming from Augsburg through Tyrol, descended with a great army on the plain of the Po in August 1209, no one intercepted the progress of the Guelf to Rome.[1] It was Italy's misfortune that her cities were unable to form a permanent confederation. Had such a confederation existed, no German king after the death of Henry VI., would have been able to overcome the barrier interposed by thickly populated Lombardy. The glorious struggle which the Lombards waged for independence neither extinguished the tradition of the Roman empire, which even in after times inflamed the Italians with passionate enthusiasm, nor brought any lasting benefit to the nation. In fact after the victory at Legnano the Italian republics were as utterly incapable of creating a political nation, as were the Greeks after the days of Marathon and Plataea. While the communes were inflamed by struggles concerning their constitution and in civil wars, the figures of those city tyrants, who have impressed so remarkable a character on the history of Italy, began to arise. Ezzelino of Onara and Azzo, Margrave of Este, mortal enemies, accusers of one another before Otto, were the leaders of the

[1] *Dux Saxonie—Otto venit in Lombardiam cum magno exercitu, in cujus terribili adventu tremuit Italia, et nimio pavore concussa est. Monach. Padov. Chron. Estense*, Murat., xv. 301. On August 14 he encamped at Peschiera: Böhmer-Ficker, 291 h.

two parties, who kept the country distracted during two centuries. Beside them appeared the Ghibelline Salinguerra of Ferrara, their equal in ambition and courage.[1]

When for the first time an emperor of the house of Guelf advanced through Lombardy, all the enemies of the Hohenstaufen may have expected to receive his exclusive favour. They were, however, deceived, for the friends of the imperial power were no longer the enemies of a Guelf who was emperor. Azzo saw his rival highly honoured in Otto's camp. The Guelf city of Florence was threatened with a fine of one thousand marks, and Ghibelline Pisa rewarded with charters and induced to sign a treaty.

Innocent received Otto in September at Viterbo. On this, their first meeting, the King of the Romans must have told himself that, had it not been for the intervention of an assassin, this very Pope would have inevitably placed the crown on the head of his enemy. We cannot feel drawn to men whose benefits are dictated by selfish calculation and are bought at the highest prices. The policy of the Pope must have left a bitter desire for revenge in Otto's soul, and Innocent's glance may perhaps have penetrated the mask of grateful reverence behind which the King concealed his resentment. After difficult negotiations Innocent was obliged to renounce his

[1] The scene of the reconciliation effected by Otto between these three great captains is a precious episode in Gerhard Maurisius (Murat., viii. 20). Salinguerra : *Saliens in guerram.* Azzo was the first city tyrant, since Ferrara, whence he had expelled Salinguerra, entrusted him with the signory in 1208. Muratori, *Ant. Est.*, i. 389 ; La Farina, *Studj.*, i. 837.

demand, that before his coronation Otto should bind himself by oath to concede to the Church everything which, previous to the year 1197, had been a subject of dispute between her and the empire.[1] The Pope hastened before him to Rome, and on October 2, after a military force, under the Chancellor Conrad of Speyer and Gunzelin, high steward of the empire, had occupied the Leonina, Otto encamped on Monte Mario. There, according to ancient custom, he swore security to the Curia and the Roman people.[2]

Otto IV. crowned Emperor, Oct. 4, 1209.

The coronation took place in S. Peter's on October 4, 1209. While the army remained in tents, a portion of the troops (they were Milanese) held the bridge of the Tiber to prevent an attack on the part of the angry Romans. The reader will be unable to restrain an ironical smile, as he observes how regularly hostilities were repeated by the Romans on every imperial coronation. As the Germans approached the city the Romans barred their gates; the Emperor and his retinue cast inquisitive glances on mighty Rome, from whose wonders they remained excluded. It is a curious fact that only a very few of the emperors ever trod the streets of the city itself. Otto never entered it.[3] The Romans who had proclaimed him

[1] Winkelmann, ii. 194.

[2] Ratification of Otto, *dat. in castris in Monte Malo ; 4 Non. Octbr. Ind. XIII. Mon. Germ.*, iv. 218 ; *Reg. Imp.*, Ep. 192. The *Chron. Slavor.* (Leibnitz, *Rer. Brunsw.*, ii. 743) gives the numbers of the army : 6000 men at arms, archers, and an innumerable company of vassals.

[3] It is not true that Otto advanced crowned through the streets. Concerning the occupation of the bridge of the Tiber, see Reineri, *Annales ad A.* 1209, *Mon. Germ.*, xvi. 662.

in 1201 would now have willingly recognised him, had he condescended to recompense their votes with largesses. When (eighteen years earlier) Henry VI. came to his coronation, he had been obliged to gain the votes of the then free and powerful city by a treaty. Otto IV. did not require to do so. This irritated the people. The Senate and even some cardinals opposed the coronation; the citizens met in arms on the Capitol.[1]

The coronation ceremony ended, it was only with difficulty that the procession made its way through the closely serried ranks of soldiers to the bridge of S. Angelo. Here the Pope took leave of the Emperor, to return to the Lateran. The following day he required Otto to leave Roman territory, a request which was an open affront to the imperial majesty.[2] Meanwhile a dispute set the hatred of the Romans aflame. The traditionary coronation battle was fought in the Leonina, and after severe losses on both sides Otto repaired to his quarters on Monte Mario. Here he remained encamped some days longer and meanwhile demanded indemnity or satisfaction from the Pope and the Romans.[3]

[1] *Contradicentib. pro maxima parte Romanis:* Rigord, *De Gestis Phil. Aug.*, p. 51. The Brunswick *Rhyming Chronicle* (Leibnitz, *Rer. Brun.*, iii. 120): *Innen des was der Senat von Rohm und der Raht alle zumal komen über eine. Sie zorneten, dass mit Ine Keine Rede were gethan, Dass man da solt han Die Weyhung keyserlich, Des wardt je hertz zornesreich.* We have no documents to show who was Senator at this time.

[2] *Ad—portam Romæ* (Bridge of S. Angelo), *et D. Papa ibi eum benedixit, licentiavit, et rogavit eum, ut alio die adveniente recederet a territorio Romano. Chron. Fossæ Novæ.*

There was fighting even during the coronation ceremony. G.

4. Breach between Otto IV. and the Pope—Innocent is undeceived — Complete Transformation of the Guelf Emperor into a Ghibelline —Otto enters Apulia—Is excommunicated by the Pope—The Germans summon Frederick of Sicily to the Throne — Otto IV. returns to Germany.

Scarcely in possession of the imperial crown, Otto IV. found himself placed in a position of entire variance with the duties which he had sworn to the empire; above all, Matilda's property formed a difficult subject of discussion between him and the Church. He withdrew from his camp near Rome to Isola Farnese, whence he wrote to the Pope and begged for an interview, even were it in Rome, whither he would come at the peril of his life. The wary Innocent, however, refused, and desired that negotiations should be conducted through envoys.[1] He sent his chamberlain Stephen to the Emperor.

Langerfeldt, *Kaiser Otto IV., der Welfe*, Hanover, 1872. Chroniclers seek the cause of the fighting in Otto's refusal to give the Romans *expensas, quas ab Imp. Rom. ex debito petebant;* so says Rigord and likewise Franc. Pipinus, Murat., ix. 637; similarly *Chron. Imp. et summor. Pontif.* (Cod. 5, Plut. xxi., in the Laurentian Library). According to Maurisius (*Hist. Eccelini*, Murat., viii. 21), Ezzelino II. distinguished himself in the combat. The Brunswick *Rhyming Chronicle* erroneously represents the Pope as accompanying the Emperor on his departure two miles on his way.

[1] *Sub periculo personæ nræ. ad vos urbem intrare decrevimus. Reg. Imp.*, Ep. 193. Answer of the Pope of October 11, Ep. 194: *de negotio vero terræ*, unquestionably "das Landt Frawen Mechtilde," as the *Rhyming Chronicle* calls the first object of the dispute.

Otto retired further into Tuscany.[1] He went to Lucca, to Pisa, and to Florence.

Otto IV. violates the treaty concluded with the Pope.

He was surrounded in his camp by bishops and nobles covetous of fiefs, such as Salinguerra, Azzo, Ezzelino, and the Count Palatine Ildebrandino of Tuscany;[2] Dipold of Acerra soon joined the number. Possessed of the imperial crown Otto quickly developed into a Ghibelline. He resumed the work of his predecessor at the point where it had been interrupted by this predecessor's death. He determined to recover for the empire all the property that Innocent had annexed to the Church. He revived the privileges of Henry, enticed Henry's adherents to his side, disposed of Italian estates in the same

[1] On October 7 he was near Isola Farnese (Böhmer-Ficker, 304). On the 12th, *ad pedem Montis-Flasconis*. On 21, *Senis*. On 25, at Poggibonsi, where he invested the city of Pisa with Corsica. On 29, at S. Miniato, where several German princes took leave of him. I add a privilegium for Siena (S. Miniato, October 29), copy in the Archives of Siena, n. 85, and *Kaleffo novo*, f. 610, in which he remits the sums due to the fiscus since the death of Henry VI. Further, an original diploma for Siena (Foligno, December 14, 1209): *Gratiose liberalitatis* . . . Siena received the liberty of electing her consuls under imperial investiture, on payment of seventy marks of silver annually, payment being made to the imperial bailiff in S. Miniato fifteen days after Easter (*Kaleffo n.*, *ibid.*). Then a privilegium given to the Bishop of Chiusi, to whom the Emperor ceded the town, Foligno, December 13, 1209. Among the witnesses is Yzilinus de Trevisio (Orvieto, City Archives). On December 24 he issued at Terni a privilegium for S. Maria and S. Anastasius in that town. Böhmer wrongly assigns this document to January 1, 1210. The deed in the City Archives of Terni says *Dat. Interamnes A.D. MCCVIIII. VIII. Kal. Jan. Ind. XIII.*

[2] At S. Miniato, November 1, 1209, Otto IV. confirmed the diploma of investiture given to *Hildebrandinus palatinus comes Tusciæ*, by Henry VI. on April 27, 1195. Winkelmann, *Acta Imp. ined. sæc. XIII.* (Innsbrück, 1880), 31.

way as the Hohenstaufens had done, and endeavoured to restore the German feudal principalities destroyed by the Pope. In January 1210 he bestowed the March of Ancona, with all the rights which Markwald had possessed, on Azzo of Este; at the same time he invested Dipold of Acerra with the duchy of Spoleto, which had formerly been held by Conrad. This proved an additional cause of irritation to the Pope, Dipold being the declared enemy of the young Frederick of Sicily.[1] Otto gave to Salinguerra the estates of Medicina and Argelate which had belonged to Matilda, and appointed Lionardo of Tricarico Count of the Romagna.[2] In April the court was established in Milan.

In order to defend himself against Otto's open attacks in Central Italy, Innocent again sought protection from the Tuscan and Umbrian cities; on February 28, 1210, Perugia promised to defend the patrimony of S. Peter.[3]

[1] Dipold forthwith assumed the title of: *magister capitaneus Apulie et Terre Laboris.* Winckelmann, ii. 232.

[2] Azzo's patent of investiture (without Ravenna) is dated Chiusi, January 20, 1210 (Murat., *Ant. Est.*, i. 392). Innocent had already invested Azzo with the March; Azzo's son Aldebrandino with Ancona, Asculum, &c., in November 1212, for which he was in return to place 100 troopers at the disposal of the Church for one month in the year *per totum ipsius Eccl. patrimon. a mare usq. ad mare, et a Radicofano usq. Ceperanum.* The remarkable document of May 10, 1213, is given in Theiner, i. n. 56. Aldebrandino died in 1215, on which his brother Azzo VII. became feudal lord of the Marches. Salinguerra's tenure was also confirmed by Innocent, on September 7, 1215 (i. n. 59). Concerning the imperial restoration in Italy see E. Winkelmann, *Phil. v. Schwaben und Otto IV.*, ii. p. 205 f.

[3] Archives of Perugia, *Lib. Summission.*, vol. †. f. 102. The people of Perugia swore with the consent of their podestà Pandulfus

The awakening was humiliating and terrible. The laborious efforts which the Pope had made to place a Guelf on the imperial throne were turned to derision by his own creature. He complained that he was ill-treated by the man whom, contrary to the almost universal desire, he had exalted, and that he had now to endure the reproaches of those who considered that he deserved his fate, since he was wounded by the sword which he himself had forged.[1] We cannot fail to recognise a just judgment in the desperate position of the Pope; for had he not made himself the head of a party in the imperial question?

The history of Otto IV. reveals an irrefutable truth, which is at the same time the most triumphant vindication of the Hohenstaufens and all such emperors, as savage hatred has branded as enemies of the Church. If the first and only emperor of Guelf race, whom the popes succeeded in raising to the throne, became transformed in their hands from an obedient creature into an enemy, it follows that the transformation must have been necessitated by insuperable conditions. Otto IV., as afterwards Frederick II., fought against heresy with the sword

Otto IV. becomes a Ghibelline.

de Subora: *quam defension. facere promiserunt a civ. Perusii infra usq. ad urb. Romanam.* The Pope promised: *Si venerit ad pacem cum Imp.—civitatem Perusii ponet in pace cum Imp.*, and to respect the customs of Perugia, the liberty of electing consuls and podestà.

[1] He exclaimed: *pœnitet me fecisse hominem!* Letter to the Archbishop of Ravenna of March 4, 1210, Ep. xiii. n. 210.—*Cum Rachele plangimus filium nec possumus consolari—lapis quem ereximus in caput anguli . . . in petram scandali est conversus;* thus he wrote in November 1210. "Twelve letters of the Pope illustrating the History of Frederick II.," published by Winkelmann, *Forsch. z. Deutschen Gesch.*, 1875, vol. xv. p. 375.

and with edicts, and never encroached on the dogmatic territory of the Church. As soon as he became Emperor, however, he rose against the founder of the new State of the Church, the Pope, who claimed Italy for himself, and frankly declared that he was also supreme ruler of the empire. If the panegyrists of papal claims succeed in showing that it was the Emperor's duty to yield submission to the Pope, as Aragon and England had yielded it, and to admit that all monarchs, yea every creature on earth, was subject to the Roman bishop, they will silence all opponents. Every unprejudiced judge will, however, maintain that an exaggerated ideal of the Papacy since the time of Gregory VII. had displaced the rational boundaries between Church and empire, and that the ever-recurring contest was only the necessary struggle for the restoration of the balance between the two powers. The popes in their struggle for European dominion were inspired, first by a moral principle; but since the moral order penetrated all practical relations of society, civil law was in danger of being swallowed up by canon law, and the ecclesiastical tribunal threatened to become the political tribunal also. The emperors rose, in the name of the independence of the empire and its laws, against the Roman hierarchy. And since the continued existence of the empire seemed to demand it, they again embraced the ideas of the secularisation of the Church, and constantly returned to attack the ecclesiastical ascendancy in its temporal possessions —its heel of Achilles. They were conservative, since they fought for the existence of the imperium, and

to them the popes appeared as innovators and revolutionaries. We may lament as a proof of their blindness, the fact that they were unable to renounce Italy or even the Papal State; this fatal error, however, was due to the conception of the empire, which endured with such obstinacy as to survive the empire itself; and it in turn found constant nourishment in the attacks of the Papacy on the imperial power and the rights of the crown.

Every one must condemn the perjury of Otto IV.; every judicious critic will explain his guilt by the position of tragic conflict in which he was involved by his vow to the empire and his Concordat with the Church. "I have sworn"—thus spoke the unhappy prince afterwards—"to preserve the majesty of the empire and to recover all the rights which it had lost. I did not deserve the ban; I do not meddle with the spiritual power; on the contrary, I will rather protect it; but as Emperor I will be judge of all temporal matters throughout the empire."[1] Thus spoke an Emperor who was undoubtedly no Henry III., no Barbarossa, no Henry VI., one who, in order to gain the vote of the Lateran, had recognised the Pope as arbitrator over the empire, and had ceded to the Pope by written agreement rights which he now revoked in defiance of the law. This was his weakness, his condemnation, and the cause of his inevitable fall. Innocent, who with Roman astuteness had thrown a network of treaties

[1] Hahn, *Collect.*, i. 209, n. x. In England the Guelf was defended without reserve. Roger of Wendover, iii. 232, and *Recueil des Hist. des Gaules*, xviii. 164.

over the Guelf, stood at least justified towards the Emperor Otto IV.

Otto would perhaps have advanced less quickly over his new path, had he not been dazzled by the homage of the Lombard cities and excited by the cries of the nobles. During the interregnum both nobles and cities had appropriated, here the former rights of the empire, there property of the Church or estates which had belonged to Matilda; the confusion was unbounded, the distinction of claims consequently often quite impossible. The Ghibellines encouraged Otto to act boldly; they desired the dismemberment of the new State of the Church and the overthrow of papal supremacy in Sicily. Dipold and Peter of Celano demanded that the Guelf Emperor should restore the rights of the empire in the island, and they lent him their weapons against the son of Henry VI. The legitimate heir of the house of Hohenstaufen must be rendered powerless to harm, if Otto wished to secure the future of his own house. He first advanced to Tuscany in August, and here occupied all the territories which belonged to him as Matilda's heir. Some towns, such as Radicofani and Acquapendente, as well as Monte-Fiascone, were taken by assault; the district of Viterbo, like the territories of Perugia and Orvieto, was laid waste. The same Prefect of Vico who had become vassal of the Pope now also did homage to the Emperor.[1]

Otto IV. proceeds to Apulia.

Otto at length resolved to enter Apulia, the kingdom

[1] He appears among the witnesses of an imperial privilegium for Imola, September 16, 1210, *ante Viterbium*. Böhmer-Ficker 439, and as early as March 30, 1210, n. 370.

of the boyish Frederick; he left Rieti in November, entered the Marsian territory through Sora, Richard's county, and proceeded onwards to Campania. He entered winter quarters in Capua.[1]

Since Otto IV. evidently regarded Sicily, the most important fief of the Church, as a province of the empire, to which he sought to secure it again, the Pope excommunicated him on November 18, 1210, only a year after his coronation. In a transport of anger he destroyed his own creature like a cumbersome idol.[2] The crown which he had bestowed on the Guelf, he now determined to snatch from his head at any cost whatever. These events are so full of political as well as personal inconsistencies, of complications as well as subtle artifices, that they must rank among the most memorable in history.

The Pope excommunicates the Emperor, Nov. 1210.

Otto IV. no longer allowed himself to be deterred by any hindrance, not even by continued negotiations on the part of the Pope, from subjugating South Italy. In the following year nearly all the cities, even Naples itself, surrendered. He advanced to Taranto. The Saracens in Sicily awaited him, and Pisan vessels stood ready to convey his troops to the island. In Rome, which he had so closely cut off that neither messengers nor pilgrims could enter, he still had supporters. Peter, the City Prefect, had

[1] *Chron. Fossæ N. ad A.*, 1210. At this time Peter of Celano held Capua and Dipold Salerno. Rich. of S. Germano, *ad A.* 1210.

[2] The excommunication was only proclaimed in all its solemnity on March 31, 1211. Innocent informed the German princes of it in April 1211. Böhmer, *Acta Imp. Sel.*, 921.

seceded to his side; the malcontents eagerly joined the Emperor. Innocent was blamed as the author of all the divisions in the empire. He was accused of being faithless and inconstant because he had first taken part with, and then persecuted, Otto. When he was delivering an edifying sermon in presence of the Romans, the old popular leader John Capocci rose up and cried, "Thy mouth is as the mouth of God, but thy works are like the works of the devil." [1]

Meanwhile Otto's authority was already tottering on the other side of the Alps. Fanatic monks scoured Germany as emissaries of the Pope, and his legates undermined the throne of the Emperor. Scarcely had the excommunication become known, when a strong party rose against him. Innocent wrote agonised letters confessing his mistake and repudiating his creature to the same German princes, among whom only a short time before he had laboured with such effect to procure Otto's elevation. He wrote also to the King of France, who looked on with malicious satisfaction. Such was the deep and just humiliation of the ambitious priest.

He now summoned the young Frederick himself to the throne, from which with cold calculation he had on principle excluded him. That he had a candidate ready to hasten Otto's fall satisfied, however, his desire for revenge. A number of the German

[1] *Cæsar. Heist. Miraculor.*, i. 127. In Otto's *Regesta* the Prefect Peter appears for the first time among the Emperor's courtiers on March 30, 1210; for the last time with his son John in Lodi on January 24, 1212.

princes at Nuremberg declared the Emperor deposed, and summoned Frederick of Sicily to the throne. Their action obliged Otto to leave Apulia in November 1211, and proceed to North Italy, where several cities no longer awarded him recognition, and where the Margrave of Este had placed himself at the head of a league against him. As early as the spring of 1212 he returned to Germany.[1]

Otto IV. returns to Germany, 1212.

[1] On November 22, 1211, at Monte Fiascone he ratified Dipold in the duchy of Spoleto, Peter, Prefect of Rome, being among the witnesses. On January 7, 1212, he is in Bologna; in February in Milan; on March 16, in Frankfort. *Reg.*

CHAPTER III.

1. Frederick resolves to go to Germany—Comes to Rome—Is crowned at Aachen in 1215—Vows a Crusade—Lateran Council—Death of Innocent III.—His Character — Temporal Supremacy of the Papacy.

Summoned by the Pope, the young hereditary enemy of Otto's house, whom Otto already believed to be annihilated, suddenly arose against him like David against Saul. A singular destiny ordained that Frederick, the chief of the three candidates, and possessing the foremost claim, should be the last to enter the lists of the great contest for the throne; should restore the house of Hohenstaufen, and should endow it with a new greatness. In the hand of Innocent III. these three competitors were like the pieces in a game of chess, played by the Pope against each other, and one after the other. They had all experienced the indignity of being the servants of another's will. The son of Henry VI. imbibed a profound hatred of the selfish policy of the priests, a hatred which governed his whole life. He never forgot either that he had been obliged to purchase the protection of the Church with feudal homage and the loss of valuable crown-rights, or that he had been excluded from the throne of the

empire, when the Pope had summoned Otto in his place.

Frederick had grown up, like Henry IV. in his day, in the midst of the court cabals, and, like Henry IV., had acquired in its fullest measure the art of overreaching others. The difficult relations in which from his childhood he had stood towards the Roman Curia and its enterprises in the empire and in Sicily, had taught him the subtlety which he later displayed towards the Church. Its statecraft had been his school.

The young Frederick of Sicily is summoned to the German throne.

Otto's adversaries summoned him to Germany. Anselm of Justingen, one of their envoys, came to Rome, where he found the Pope and the Romans ready to recognise Frederick's claims to the Roman crown; the fact that he was possessed of such claims being now suddenly discovered by Innocent.[1] Policy, the enemy of all ideal greatness, of religious as of philosophic virtue, compelled even an Innocent to descend to the commonplace, to change his opinions and to deny his own aims. For according to his view the last Hohenstaufen should have remained a vassal of the Church in perpetual exile in Sicily, and excluded from all concerns of the empire. Did the Pope believe it possible to avert the dreaded alliance of Sicily with Germany? It appears that he yielded to this delusion. The moment in which he summoned the King of Sicily to conquer the

[1] *Ibique consilio et interventu D. Papæ obtinuit, ut a civibus et Pop. Rom. Fridericus imperator collaudaretur, et de ipso factam electionem Papa confirmavit. Chron. Ursperg.*, p. 239. We see that Otto's party in Rome was not numerous.

Roman crown was one of the most fatal in the history of the Papacy: to it may be traced a struggle destructive both to Church and empire; to it were due the supremacy of the house of Anjou, the Sicilian Vespers, and the exile at Avignon. Innocent forged the second and the sharper of the swords which was to wound the Church. The constant delusion of this Pope, at whose feet kings laid their crowns as vassals, is the humiliating proof of the blind ignorance of even those intellects that most dominate the laws and course of the world.

When the Swabian envoys appeared at Palermo in the autumn of 1211 to offer Frederick the German crown, the Queen and the Parliament rose against the dangerous invitation. The Sicilians had suffered too much through Henry VI. to regard otherwise than with hatred any connection with Germany. Frederick himself hesitated, then resolved to plunge into the waves of an incalculable future. He was at this time scarcely eighteen years old and had been married, since August 1209, to Constance, daughter of King Alfonso of Aragon, the childless widow of Emerich of Hungary. He caused Henry, his lately born son, to be crowned as King of Sicily, gave the regency into the hands of his wife, took ship at Messina and hastened to Rome, where he was greeted by the Pope as King-elect of the Romans in April 1212. Innocent saw his impecunious ward for the first and last time. The grandson of the hero Barbarossa stood as emperor-designate before him; he was his creature in a nobler sense than Otto IV.; the creature of his duty, his adopted son,

He comes to Rome, April 1212.

for whose advantage he had striven for years. If report had represented the youth as a voluptuous fool surrounded by a swarm of courtly troubadours, Innocent's keener glance must soon have detected the innate power of genius and the early practised judgment in the son of Henry VI. The conditions on which the Church made Frederick's election dependent were drawn up; above all the separation of Sicily from the empire was determined upon. The new candidate for the imperial throne was candidate under conditions which, to the misfortune of the empire, resembled those imposed on Otto IV.; the same fetters, from which Otto only freed himself by perjury, were woven round Frederick.[1] Nevertheless we cannot doubt the sincerity of his intentions at this time, filled as he was with enthusiastic hopes of a great future.

The Pope's treaty with Frederick.

The Pope dismissed Frederick in perfect content and even furnished him with money. The young Sicilian, "the child of Apulia," reached Germany guided by good fortune. The glory of his ancestors opened his way, although he was an utter stranger to the Fatherland, and was entirely, or almost entirely, ignorant of its language. The liberality with

[1] As early as February he issued three documents from Messina, in which he acknowledged himself as vassal of the Church for Sicily and ratified the liberty of episcopal election. Böhmer-Ficker, 651 f. *Hist. Dipl. Frid.*, i. 201 f.: *ne unquam beneficior. vestror., quod avertat Dominus, inveniamur ingrati, cum post divini muneris gratiam non solum terram, sed vitam per vestrum patrocinium nos fateamur habere.* In April he conceded to the Pope the succession to the county of Fundi, after the death of Count Richard. *Mon. Germ.*, iv. 223; *Hist. Dipl.*, i. 208.

which he scattered abroad the hereditary possessions of his house and fiefs of the empire won the greedy nobles to his side, and the figure of the rude Guelf emperor served as a foil to the youth, whom the foreign graces of a classic island had adorned with their fairest gifts.

Frederick's oath at Eger, July 12, 1213.

On December 5, 1212, Frederick was elected King at Frankfort; on July 12, 1213, at Eger, recognised by almost the whole of Germany, he took the oath, in which, with the assent of the princes of the empire, he was obliged to renew the concessions made by Otto IV. to the Pope. The freedom of the Church in spiritual matters was acknowledged; the State of the Church, according to the terms dictated by Innocent, was ratified; no rights in that State were preserved to the empire, beyond the Foderum on coronation processions; and the papal sovereignty over Apulia and Sicily was once more solemnly proclaimed.[1]

Frederick II. crowned at Aachen, July 25, 1215.

After victorious undertakings against his unfortunate adversary, whose glory set on the field of Bouvines on July 27, 1214, Frederick II. was crowned at Aachen on July 25, 1215, by the Pope's legate, the Archbishop Siegfried of Mainz. The "Priest-king," as Otto IV. called his rival, took the

[1] *Mon. Germ.*, iv. 224; *Hist. Dipl.*, i. 269. The Pope is therein called *protector et benefactor noster*. The extent of the State of the Church is expressed in the formula of Otto: *tota terra que est a Radicofano usque Ceperanum, &c.* Dipold still ruled in Spoleto: *Nos Dipuldus dei et imp. gratia dux Spoleti Comes Assisii et Acerre* provides the consul of Fabriano with estates on October 23, 1213, *Imperante D. n. O(ctone) semp. Aug. . . .* Ciavarini, *Colleg. di Docum. Morrhigiani*, vol. ii. 84.

Cross for an expedition to the Holy Land after his coronation, out of subservience to the Church, but perhaps also in an access of chivalrous enthusiasm. This vow, which was destined to be the source of his greatest misfortunes, was at the time sincere, although perhaps his promise to separate Sicily as a fief of the Church from his own crown, and to cede it to his son Henry as soon as he was crowned Emperor, may not have been so.

November Council in the Lateran, 1215.

The quarrel for the German throne was definitely settled at the immense Council which Innocent assembled in the Lateran on November 11, 1215. Otto's advocates and Frederick's envoys received the decision that the former was deposed, the latter recognised.[1] More than 1500 prelates from every land of Christendom, beside princes and ambassadors from kings and republics, knelt at the feet of the mightiest of the popes, who sat as ruler of Europe on the throne of the world. This splendid Council, the last solemn act of Innocent III., was the expression of the new power which Innocent had infused into the Church, and the unity in which he had preserved her. The close of the life of this extraordinary man was also its zenith. On the point of going to Tuscany to effect a reconciliation between Pisa and Genoa, and persuade these maritime powers to join the Crusade, he died at Perugia on June 16, 1216, without having lived too long for his glory.

Death of Innocent III., June 16, 1216.

Innocent III., the true Augustus of the Papacy, although not a creative genius like Gregory I. and

[1] *Annales Meltenses*, *Mon. Germ.*, v. 159.

Greatness of Innocent III.

Gregory VII., was one of the most important figures of the Middle Ages, a man of earnest, sterling, austere intellect, a consummate ruler, a statesman of penetrating judgment, a high priest filled with true religious fervour, and at the same time with unbounded ambition and appalling force of will; a bold idealist on the papal throne, yet an entirely practical monarch, and a cool-headed lawyer.[1] The spectacle of a man, who, if only for a moment, ruled the world according to his will in tranquil majesty is sublime and marvellous. By astutely turning the circumstances of its history to the best account, by adroitly applying canon laws and fictions, and by guiding the religious fervour of the masses, he imparted such a tremendous power to the Papacy that it carried states, churches, and civic society irresistibly onward in its mighty current. His conquests, achieved solely by the force of sacerdotal ideas, were, like those of Hildebrand, marvellous in regard to the shortness of his reign; Rome, the State of the Church, Sicily, Italy, became subject to him, or turned to him as to their protector; the empire, driven back beyond the Alps, bowed beneath the papal sentence. Germany, France, and England, Norway, Aragon, Leon, Hungary, distant Armenia, the kingdoms in East and West had recognised the tribunal of the Pope. The trial of the Dane Ingeborg, who had been repudiated, offered Innocent the opportunity of making the powerful

[1] His portrait in Hurter is an invention. His biographer says: *statura mediocris, et decorus aspectu, medius inter prodigalitatem et avaritiam—fortis et stabilis, magnanimus et astutus. Gesta*, c. i.

monarch, Philip Augustus, subject to ecclesiastical law, and a dispute about investiture left him feudal lord of England. His masterly action against the English king, to whose crown rights he did violence, his presumption in making free England over to a foreign prince, Philip Augustus, the game which he played with impunity with this very monarch, his successes and victories are things which, in truth, border on the marvellous. The wretched John laid down his crown in servile fear, and received it back as a tributary vassal of the sacred chair at the hands of Pandulf, a simple legate, but endowed with Roman pride and Roman courage of a thoroughly antique stamp.[1] The celebrated scene at Dover entirely recalls the times of ancient Rome, when distant kings renounced or assumed their diadems at the bidding of pro-consuls. It shines in the history of the Papacy, like the scene at Canossa, the pendant of which it was. It deeply humiliated England, but no people rose so qui kly and so gloriously out of their humiliation as this manly nation, who wrung the Magna Charta—the foundation of all political and civic freedom in Europe—from their cowardly tyrant.

Innocent's good fortune was unbounded. All the forces of the world converged on the moment when this Pope appeared, to become powerful owing to

[1] Cession of England in 1208, and on May 15, 1213: Rymer, fol. 111. The King swears the *homagium ligium* like a Latin baron. When the barons wrested the *Magna Charta* from John, the Pope laid the new-born freedom of the English under a ban. The feudal relationship soon expired. The tribute of 1000 marks sterling was refused by Edward III. (Lingard, *History of England*, ii. 626).

their means. He saw realised the audacious dream of Hildebrand,—the subjugation of the Greek Church to the laws of Rome,—since, after the conquest of Constantinople by the Latin crusaders, the Roman rite was introduced into the Byzantine Church. No pope had ever again so lofty and yet so real a consciousness of his power as Innocent III., the creator and destroyer of emperors and kings. No pope so nearly attained Gregory VII.'s audacious aim, that of making Europe a fief of Rome, the Church the constitution of the world. Kings headed the long list of his vassals; princes, counts, bishops, cities, and nobles followed in succession, all bearing feudal patents from a pope.[1] He encompassed the Church with terror; the fear which the despotic command of Rome spread among mankind in the time of Nero and Trajan, was not greater than the servile reverence of the world before the mild exhortation, or the threatening thunderbolt of the Roman Innocent III., the majestic priest, who could address trembling kings in the language of the Old Testament: "As the rod lay beside the tables of the law in the Ark of the Lord, so lie the terrible power of destruction and the gentleness of mercy in the breast of the Pope."[2] Under Innocent the sacred chair became the throne of dogmatic and canonical authority, the political

[1] Deeds of this character of Innocent III. and other popes, taken from the feudal books of the Church, are briefly registered in *Cod. Vat.*, 3535.

[2] Letter to King John, in which the Pope congratulates him on his submission—probably the grandest document of the papal power. Rymer, i. fol. 116.

tribunal of the peoples of Europe. During his reign West and East recognised that the centre of gravity of all moral and political order lay in the Church, the moral universe, and in its pope. This was the most favourable constellation which the Church ever entered in the course of history. In Innocent III. the Papacy attained a giddy and untenable height.

2. ACTIVITY OF THE HERETICS—DOCTRINE OF CHRISTIAN POVERTY—FOUNDATION OF THE MENDICANT ORDERS, S. FRANCIS AND S. DOMINIC—THE FIRST MONASTERIES OF THEIR ORDERS IN ROME—CHARACTER AND INFLUENCE OF THE MENDICANT SYSTEM—THE SECT OF THE SPIRITUALISTS.

The thirteenth century was a great and continuous revolution; the civic spirit fought for, and obtained emancipation from feudalism, the empire and the Church, and side by side with it arose the evangelical principle to acquire liberty of faith. The latter revolution was not at the time successful like the former; its flames, suddenly leaping forth, were extinguished by the Church, but its sparks could not be quenched. Heretical teaching, in a movement intensely enthusiastic in character, asserted itself against the form of dogmatic authority with which Innocent III. strove to fetter the human race. To the sight of this Pope time passed like a triumphal procession to do him homage, but he was nevertheless aware of defiant spirits also, who inspired him with dread. The first assault of heretical

Heresy in the time of Innocent III.

principles against the ecclesiastico-political dogma precisely coincides with the second foundation of the State of the Church and of the universal monarchy of the Pope. While the hierarchic Church attained its greatest solidity, the unity of its doctrinal structure was more violently threatened than it had ever been before. With Roman resolution Innocent resumed the battle against heresy, which he strove to exterminate with fire and sword. His severity gave an example and an impulse to ecclesiastical intolerance for centuries. The extermination of the Albigenses through the first actual war against the heretics — a war filled with revolting outrages—was the consequence of Innocent's despotic commands. It left behind a profound impression in the memory of mankind. Sorrow for the ruin of a beautiful country, filled with memories of ancient culture, chivalrous and romantic sympathies, a somewhat exaggerated admiration for Provençal poetry, and the indignant sympathy with humanity and freedom, have bestowed an imperishable glory on the overthrow of the Albigenses and a lasting stain on Innocent's memory. If, in the lives of nations, sacrifices must fall to historic necessity, nevertheless the fate of those destined to be the instruments of this necessity is not an enviable one. It is not indeed difficult to answer the question as to what form our civilisation would have taken, if entire freedom had been given to heresy and all its degraded Manichæan developments in the thirteenth century. The principle of liberty of conscience, the most precious jewel of

The Albigenses.

human society, was not intended for that immature century; it sprang victorious from the funeral pyres of the victims of the Inquisition—that terrible guardian of the unity of the Church, the appalling power which arose upon the height of papal authority attained by Innocent III.

The Inquisition.

A fanatical doctrine, at deadly strife with practical society and culture, before which men trembled as before the pestilence, appeared for the second time in the world, in the form of a religious ideal, and inflamed pious spirits with enthusiasm. The doctrine of absolute poverty, as the true imitation of Christ, formed the dogmatic foundation of the heretic sects of this time, of whom the Poor of Lyons or the Waldensians were the most dangerous to the Church. For these ascetic doctrines made the impression of apostolic truth, and furnished a sharp weapon to the enemies of the papal monarchy. In face of the pomp, the wealth, and the unapostolic power of the Church, the longing after the ideals of Christianity was awakened, and the evangelical heretics opposed the picture of the pure original to the degraded reality. The Papacy would have been brought into the utmost danger in the struggle against an ever-increasing consciousness of the necessity of reform within the Church, had not the Church been enabled to find again within herself the need for Christian renunciation, and to foster it as a Catholic principle of her own. At the right hour two remarkable men arose from within her midst as apostles of this poverty, and invested her with a new power. Francis and Dominic, celebrated characters of the time,

The heretical doctrine of evangelical poverty.

placed themselves at Innocent's side. Legend represents their relations to the Church as foretold in a vision to the Pope, in which he saw the falling Lateran supported by two insignificant-looking men, in whom on wakening he recognised the two saints. The sudden appearance of these two men, their legendary existence, their activity in the midst of the practical conflicts of the world, their entirely astonishing influence, are truly marvellous phenomena in the history of religion.

S. Francis. Francis, the most lovable of the saints, was the son of a merchant in Assisi, where he was born about 1182. Seized by an impulse of fanatical devotion in the midst of a profligate career, the youth threw aside fine clothes, gold, and possessions, and, despising the world, clothed himself in rags. He was mocked at, he was called insane. But after a time reverent crowds listened to his marvellous eloquence, and youths, intoxicated by his charm, followed his example, while he himself founded a society in the chapel Portiuncula near Assisi. The call of Christ, "Leave what thou hast and follow me," uttered by the mouth of a mendicant apostle, was re-echoed on the highways by enthusiasts for poverty, who hastened literally to fulfil the command.[1] The mysterious impulse towards a mystic brotherhood, whose principle was the absence of all property, whose support was alms, and whose ornament was the garb of the beggar, is one of the most curious phenomena of the Middle Ages, and a phenomenon

[1] Chapter i. of the "Rule of the Minorites" in Wadding, *Annal. Minor.*, i. 67.

that forces every thoughtful mind to reflect on one of the weightiest problems of society. It was not indignation at the too unequal distribution of the things of earth that inflamed these Umbrian idealists. They were cynics and communists, not from philosophic speculation, but from a morbid religious impulse that stirred contemporary mankind. If the seraphic visionary standing on the narrow confines of light and darkness had been an ordinary spirit, he would have been lost to the world as a hermit; but Francis, like Buddha, was a lovable, happy, enthusiastic nature, and consequently attracted all men to his side. This prophet was endowed with a conception of the Divinity, which in another age would have made him the founder of a religion. In his own days he could merely become one of the saints of the Church, an imitation of Jesus, whose wounds his disciples asserted were reproduced on him. Even during his lifetime legend gathered around his path. His followers were unable to penetrate the depths of a poetic spirit, whose supernatural ecstasies they could not comprehend. To a realm of raptures soaring above the world of sense they gave a coarse material interpretation; they demanded that the exaltation of an enthusiastic existence in the freedom of the spirit should be brought within the limits of monastic discipline and made subject to the rules of an order, in which Poverty, as a mystic queen, sat on a golden throne in the midst of a choir of mendicant brothers. These disciples nevertheless could not reform human society, since privation is inventive and revolutionary, while

poverty without privation possesses no reforming element. They forced their saint, who was no theorist, but a naïve child of God, to become a lawgiver. The Church forbade the foundation of new rules, since the monastic orders were too numerous already, and all had become worldly and effete. It was therefore hard for either Francis or his disciples to succeed. He found powerful friends, however, in Rome; the noble Jacoba de Septemsoliis of the house of Frangipani, the wealthy Cardinal John Colonna, Cardinal Hugolin, his most zealous defender, afterwards Pope Gregory IX., the highly respected Mattheus Rubeus Orsini. Innocent, the man of great practical intellect, did not perceive the importance of the rising mendicant order. Did he recognise perhaps the danger of a theory which was decidedly hostile to the secular power of the Church? There can be no greater contrast than the figures of Innocent III., throned in the majesty of supreme power, and of Francis the humble beggar, who stood in his presence—a Diogenes of the Middle Ages before an Alexander, in his nothingness greater than Innocent—a prophet and an exhorter, a mirror in which the Divinity seemed to show the Pope the vanity of all worldly greatness. Innocent and Francis are in truth two marvellous portraits stamped on different sides of the medal of their times. For the rest, although the great Pope placed no hindrance in the way of the saint, it was only his successor, Honorius III., who recognised the order of the Fratres Minores (Minorites or Humble Brothers) in 1223, and, placing them under Bene-

Foundation of the Franciscan order.

dictine rule, accorded them the pulpit and confessional.[1]

The first settlement of the Franciscans in Rome in 1229 was the hospital of S. Blasio, the present S. Francesco in Trastevere; Innocent IV. afterwards gave them the convent of S. Maria in Aracoeli, from which the Benedictines were removed.[2] Wearing the brown cowl, and with the white cord around their bodies, triumphant mendicant brothers entered the ancient Capitol, and from the legendary palace of Octavian on the summit of the Tarpeian fortress a barefooted "general" of mendicants issued commands to subject "provinces," which, as in the time of the ancient Romans, stretched from distant Britain to the seas of Asia.[3]

The Franciscans receive possession of S. Maria in Aracoeli in 1250.

While the saint of Assisi wandered through Umbria with his enthusiastic beggars, as Jesus with poor fishermen and artisans in the valley of Gennesareth, he was unaware that another apostle exercised a like influence on the banks of the Garonne.

[1] *Bullar. Magn. Rom.*, i. 93. Bull of November 29, 1223. The constitution of the Minorites of *sæc.* 13 in the *Cod. Pal.*, n. 571.

[2] The bull *Lampas insignis*, Lyons, June 26, 1250. The Franciscans maintained the convent in its full extent, according to the Privilegium of Anaclete. They entered on actual possession in 1251. Casimiro, *History of Aracoeli*, p. 16; Wadding, *Annales Minor.*, iii. 250 f.

[3] *Ex ipso Capitolii vertice dominatur pauperum primicerius, quam ex Tarpeia rupe Romanor. rexere Monarchæ, ad plures utique nationes hujus sodalitii Rectoris pertransit auctoritas, quam antea Romanor. diffundebatur Imp.* Thus says the annalist of the order in 1251, n. 36. Francis died in the Portiuncula in 1226. He was canonised in 1228. His life was written by his disciple Thomas of Celano, then by the celebrated mystic Bonaventura. *Acta SS. Oct.*, t. ii. 545. Karl Hase, *Franz von Assisi*, Leipzig, 1856.

S. Dominic. Dominic, a Castilian from Calahorra, the learned pupil of Bishop Diego de Azevedo, while journeying in the south of France in 1205, conceived the thought of devoting his life to the conversion of those courageous heretics, who opposed their evangelical ideals to the teaching of the Church. Francis and Dominic were Dioscuri, though fundamentally different in character. The lovable enthusiast of Umbria preached among beggars, held converse with trees and birds, addressed hymns to the sun, while Dominic, glowing with fervour, but entirely practical and energetic, took counsel with the gloomy heroes of the Albigensian war, with Bishop Fulco of Toulouse, the Abbot Arnold of Cîteaux, the legate Pier of Castelnau and with the terrible Simon de Montfort, as to the best means of exterminating heresy. He had witnessed the destruction of a noble people; he had seen the smoking ruins of Béziers, where 20,000 men had been butchered at Arnold's fanatic nod; he had prayed with ecstatic fervour in the church at Maurel, when Simon with his crusaders dispersed the army of Peter of Aragon and the Count of Toulouse. In the midst of these horrors, from which Francis would have recoiled, the fanatic Spaniard felt nothing but an ardent love for the Church, nothing but fervent humility, and knew no other passion than the desire of converting men from views which he believed criminal. He founded his order in the nunnery of Nôtre Dame de Pruglia at the foot of the Pyrenees, and in communities at Montpellier and Toulouse.

He came to Rome in 1215. Here he attended the

great Council at which the Counts of Toulouse were forced to cede their territories to the victor Simon. Innocent was quicker to recognise the practical aims of the fiery preacher against heresy than the hidden meaning of the mystic dreams of Francis. After some consideration he was disposed to recognise the new order under the Augustinian rule, and was only prevented by death. Soon after (on December 22, 1216), when Dominic was again in Rome, it obtained ratification from Honorius III.[1] He conceded the preaching brothers (*Fratres Prædicatores*) the right of the cure of souls and of preaching in all countries. Poverty was a cardinal law in this order also, preaching and teaching its duties, and by taking the Inquisition into its hands—at first in alliance with the Franciscans and afterwards alone—it soon enough made itself dreaded. The first houses of the Dominicans in Rome were, after 1217, the monastery of S. Sixtus on the Via Appia, and after 1222 the beautiful ancient church of S. Sabina on the Aventine, where monks still show the spot where the founder is said to have dwelt. Dominic died at Bologna on August 6, 1221. He was buried in a magnificent urn, adorned by Italian sculpture with some of the earliest products of her renascence.[2]

He comes to Rome in 1215.

Foundation of the Dominican order, 1216.

[1] The bull is dated from S. Sabina. (*Bullar. Mag. Rom.*, i. n. 91, and *Bullar. Ordinis Fratr. Præd.*, p. 2.) Legend relates that Dominic and Francis met in Rome in 1215. Jealousy severed the two orders, but they still celebrate the memory of the friendship between their respective founders by a joint festival. Lacordaire, *Vie de S. Dominique*, c. vii.

[2] Mammachi, *Annales Ord. Præd.*, 1756, began the history of the Dominicans with the year 1170.

The two patriarchs of mendicant monasticism, the two radiant lights on the hill, as the language of the Church calls them, were with Innocent III., the apostles of the new ecclesiastical supremacy, as the monk Benedict had been in former days beside Pope Gregory.[1] If earlier founders of orders had planted hermitages or abbeys, where monks led a contemplative life, while the abbot accumulated wealth and ruled over imperial and feudal princes as over vassals, Francis and Dominic rejected a system through which the Roman Church had been secularised. Their reform consisted in a return to the ideal of self-denying poverty, but also in the rejection of a purely hermit-like form of life. The new monasticism took its stand in the cities amid the stir of life; it received laymen in the form of tertiaries. This active relation of the mendicant orders to all sides of life gave them an immeasurable power. The ancient orders had become aristocratic and feudal. Francis and Dominic made monasticism democratic, and herein lay their power with the people. The doctrines of the heretics, the democratic spirit in the towns, the upward pressure of the working classes and of all the vulgar elements, even in the language, had prepared the soil for the appearance of these saints. Their doctrines were accepted like popular manifestations, and were looked on as reforms of the Church, by which the just accusations of the heretics

[1] *L'un fu tutto serafico in ardore,*
L'altro per sapienza in terra fue
Di cherubica luce uno splendore.
—Dante, *Paradiso*, xi.

were reduced to silence. The oppressed people saw despised poverty exalted on an altar and placed in the glory of heaven. The throng crowding to join the new orders was consequently very great. As early as the year 1219, at a general assembly at Assisi, Francis could count 5000 brethren, followers of his banner. The erection of convents for mendicant monks soon became an event of as great importance, as would now be a discovery that revolutionised life. The rich and the insignificant alike entered, and the dying of every class had themselves clothed in the Franciscan cowl, in order the more surely to obtain entrance to Paradise.

Influence of the mendicant orders on society.

The mendicant brothers influenced every stratum of society. They thrust the secular clergy from the confessional and pulpit; they filled the chairs of the university; they were the greatest teachers of scholastic learning, since Thomas of Aquino, Bonaventura, Albertus Magnus and Bacon were mendicant monks. They sat in the college of cardinals, and as popes mounted the sacred chair. Their voices whispered to the conscience of the citizen in the inmost chamber of his dwelling, and at the most sumptuous of courts into the ear of the king, whose confessors and counsellors they were. Their accents resounded in the halls of the Lateran as in the stormy parliaments of the republics. They saw and heard everything. They wandered barefoot through the land like the first disciples, "without staff, without scrip, without bread, without money."[1] Nevertheless

[1] *Quando fratres vadunt per mundum, nihil portent per viam, nec*

these beggar heroes were at the same time organised in hundreds of convents according to provinces, and were commanded by a minister-general, at whose order each individual brother was ready to become a missionary and a martyr, a preacher of the Cross or of the ban, a justice of the peace, a recruiting officer for the popes, a judge over heretics and an inquisitor, a silent messenger and spy, a stiffnecked collector of taxes or exactor of money for indulgences and tithes for the coffers of the Lateran.

The Roman Church prudently made her own the democratic tendencies of these orders, who were intermediaries in her relations with the people, while owing to exemptions they were entirely free from the control of the ordinary clergy. The popes made them into an army ready for battle, whose maintenance cost them nothing. The principle of the Divine power of the Papacy was instilled by a thousand ways into the intellects of men by these mendicant monks, whose spirit, influenced by scruples of conscience and by mysticism, by benevolence, abnegation, and self-sacrifice, bent in patient obedience to the command of an infallible pope. The democratic nature of the Franciscans was nevertheless difficult to rule; their mysticism threatened to degenerate into heresy, and the apostolic principle of poverty brought the Church into danger more than once. The order divided very soon after the death of the founder, since a more tolerant party, led by Fra Elia, the most illustrious pupil of the saint, demanded that the acquisition of

sacculum, *nec peram*, *nec panem*, *nec pecuniam*, *nec virgam*. Cap. xiv. of the Rule of the order.

property should be conceded to the brethren under certain conditions. The command of abject poverty overstepped the laws of human nature, which through the relations of property alone can give expression to individual energy and force of will. The master hand of Giotto, it is true, represented the marriage of the saint with the glorified figure of poverty, in an exquisite painting over the grave of the saint in Assisi, but the great founder of the mendicant order already rested in the cathedral resplendent in gold and marble. His mendicant children soon rejoiced in endowed convents over the whole world; poverty remained outside, before the convent door.

A stricter party, however, rose with enthusiastic fervour from the ashes of the pious saint, who upheld the principle of absolute poverty against the more easy-going brothers and even against the supreme Church. The gospel of this sect of the Holy Ghost or the Spiritualists were the prophecies of the Calabrian Abbot Joachim de Flore, who thought that the Church, hitherto existing, was only a preparation for the kingdom of the Holy Ghost; and these thoughtful monks held the audacious opinion that Francis had assumed the place of the apostles, and that their monastic kingdom had taken the place of the papal, in order to inaugurate the reign of the Holy Ghost, which was bound to no form, to no government, to no distinction of mine and thine.

The Spiritualists.

The history of the Church and of civilisation is acquainted with the influence of the Franciscans and Dominicans over human society, but we can

describe neither their laudable activity at the beginning of their career, nor the utter decay of their ideal, nor the fetters of stupid servitude which they later imposed on the freedom of thought and of science; nor can we speak of the consequences which the doctrine of religious poverty (solemnly recognised) has exercised on the property and the industry of civil society.

3. Honorius III., Pope—The House of Savelli—Coronation of Peter of Courtenay as Emperor of Byzantium in Rome, 1217—Frederick defers the Crusade—Death of Otto IV., 1218—Election of Henry of Sicily as Successor to Frederick in Germany—Disturbances in Rome under the Senator Parentius—Journey to Rome and Coronation of Frederick II., 1220—Imperial Constitutions.

Cencius Savelli, the aged Cardinal of SS. Giovanni and Paolo, became the successor of Innocent III. His father's family, in which the name of an ancient Latin race reappears, had not hitherto been heard of in the history of the city, and its origin also is unknown. But since a place called Sabellum near Albano, where stood an ancient church dedicated to S. Theodore and a Domus-culta Sulpitiana, is noticed as early as the eighth century, it is possible that the Savelli may have derived their name from the place, as the Colonna had taken theirs from the Colonna fortress.[1] The foundation of the house of the

[1] Anast., *Vita Stephani*, iv. n. 529: *S. Theodorus in Sabello;*

Savelli, which was probably German (as is shown by the names Haymerich and Pandulf), was due to the nepotism of their member Pope Honorius, and they only rose to power after his time.[1]

Cencius, a highly educated man, had been vice-chancellor and chamberlain under Innocent III. As such he had compiled the celebrated *Book of the Revenues of the Church.* On July 24, 1216, he ascended the sacred chair at Perugia as Honorius III., but not until September 4 did he take possession of the Lateran. Honorius III., Pope, 1216-1227.

The Romans gladly saw their fellow-citizen Pope. Goodness of character and a blameless life had long rendered him beloved. He had moreover inherited from his predecessor a tranquil rule in the city, with whose liberties he never interfered. After the Constitution of 1205, the Roman republic was administered for six months at a time by a single senator, who did homage to the pope without opposition.[2]

The gentle nature of Honorius did not rise to the

again in 1023: *territorio Albanese in fundo et loco qui voc. Sabello* (Galletti, *Del. Prim.*, n. 34). The family was called *de Sabello.* The will of Honorius IV., A. 1285, speaks of the castrum as a family estate near Albano (Ratti, *fam. Sforza*, ii. 302). Also Panvinius, *de gente Sabella* (*Mscr. Bibl. Casanatense*), begins the genealogy with Haymericus, father of Honorius. His name (Amalrich) points to a German origin.

[1] Stefaneschi (Murat., iii. 648) gives the Savelli the rare epithet of "gentle": *Sabellia mitis.* This they earned through two popes, Honorius III. and IV., and the Senator Pandulf.

[2] No document says who were senators at this period. At the time of the Council of 1215 the Senator was *Pandulphus fil. qd. Johis Petri de Judice*, a fact which has hitherto been overlooked. Instrum. of 1217, Murat., *Antiq. Ital.*, ii. 563.

bold ideas of his predecessor, by whose intellect his own lesser talents were thrown into the shade. He was filled by one solitary passion—the accomplishment of the Crusade announced by Innocent III., and at the head of which he hoped to see Frederick.

Before inviting Frederick to Rome for his coronation, he crowned Peter of Courtenay as Emperor of Byzantium on April 9, 1217—a fresh triumph for the Church, which hoped henceforward to dispense the crowns of both East and West. The French count, as husband of Iolantha,—sister of Henry, the second Frankish Emperor of Byzantium, in whom the male line of Flanders had become extinct on June 11, 1216,—had been summoned to the throne by the Latin barons in Constantinople. Peter, with his wife, four daughters, and a large retinue, came to Rome on his way to the East. He urged the Pope solemnly to crown him emperor. Honorius hesitated at first, since the transaction might have been interpreted as signifying that the Greek emperor had rights over the city of Rome, and the ceremony, moreover, appertained to the Patriarch of Constantinople. Then he yielded. For the first and last time a Byzantine emperor received the crown in Rome from the hands of the Pope. The impotent usurper of the throne of Constantine was, however, not crowned in Constantine's Roman basilica, but was degraded to the level of the King of Aragon, the Pope performing the ceremony in S. Lorenzo outside the gate.[1] Honorius dismissed the Emperor

Crowns Peter of Courtenay as Emperor of Byzantium, April 9, 1217.

[1] *Chron. Fossæ Novæ ad A.* 1217; Du Cange, *Hist. de Const.*, i. 151.

in the company of John Colonna, Cardinal of S. Prassede, on April 18. But the imperial progress from Brindisi to the great city of the East ended in the prisons of the despot Theodore Angelos in Albania, whom Peter had promised the Venetians immediately to attack. In these dungeons the Emperor soon afterwards died.[1]

Frederick meanwhile delayed the fulfilment of a vow, which made the Crusade a duty. In urgent letters Honorius even threatened him with the ban, did he fail to depart at the time appointed and hasten to the relief of the crusaders who were besieging Damietta.[2] The son of Henry VI. felt none of the pious ardour of a Godfrey of Bouillon; and, moreover, the chivalrous enthusiasm for the Crusades was already regarded as visionary in Europe. The world, which had seen a crusade of Frankish princes precipitate itself on Christian Byzantium, soon afterwards smiled at the curious crusade of several thousand children, which testified less to the survival of the attraction towards the East than to its morbid degeneration. Political motives had supplanted the religious impulse in the minds of princes; their enterprises were no longer directed towards the possession of the Holy Sepulchre, but

[1] He had sent his wife Iolantha before him to Constantinople, where she gave birth to Baldwin, the last of the Latin emperors. Theodore released Cardinal Colonna from imprisonment in 1218. Carl Hopf, "Gesch. Griechenlands" (Ersch und Gruber, *Allg. Encykl.*, lxxxv. p. 248).

[2] The first threatening letter is dated February 11, 1219; the second, October 1, 1219; *Hist. Dipl.*, i. 691. The date appointed was S. Benedict's day (March 21, 1220); it was then deferred until May 1.

to Egypt, the key to the East and its Indian trade-routes. Can we seriously upbraid Frederick for delaying the fulfilment of a vow, which would have taken him away from his duties as regent and carried him to Syria, where his grandfather had met an unavailing death, and where the efforts of a hundred years directed towards an imaginary aim had found a certain overthrow? Nearer objects were the adjustment of affairs in his Sicilian kingdom, the acquisition of the imperial crown and the safeguarding of the hereditary succession to the empire.

Death of Otto IV., May 19, 1218.

The death of Otto IV. paved the way to the third of these objects. The unfortunate Guelf emperor died, in dreary loneliness, a conscience-stricken penitent, in the Harzburg, on May 19, 1218. Frederick was now universally recognised as King of the Romans. His exertions to get his son Henry (already crowned as King of Sicily) elected by the princes of the empire as his successor in Germany, and further, some events which appeared in the light of attacks on the rights of the State of the Church, irritated the Pope as early as the beginning of the year 1219. The King pacified him by decrees which commanded rebellious cities, such as Spoleto and Narni, to yield obedience to the sacred chair.[1] He renewed the Capitulation of Eger; he promised all that the Pope desired in order to gain the imperial crown.[2] In the hope of seeing Frederick

[1] Theiner, *Cod. Dipl.*, i. 70.

[2] Act of Hagenau, September 1219. *Mon. Germ.*, iv. 231. *Juramentum futuri Imp. : Ibid.*, p. 232. The princes ratified the Privilegium at Frankfort on May 23, 1220. Theiner, i. n. 77.

embark for the East, the Pope submitted to the deception which was prepared for him in Sicily. On the demand of Honorius III., Frederick even renewed in 1220 the promise given to Innocent III., namely, that the island should not be united to the German crown. As soon as he attained his majority, the boy Henry was to govern the island as the Pope's vassal.[1] By means of liberal charters, however, Frederick gained the spiritual princes of Germany to his scheme to elect Henry King of the Romans. This measure would secure peace to the empire, but as certainly take it from the Church. The election took place in Frankfort in April 1220, without regard to the Pope, and Frederick thus violated his obligations. Having thus acted dishonestly towards Honorius, he strove to appease the latter's indignation by a diplomatic letter,[2] and while he promised never to unite Sicily with Germany, he demanded that the possession of the island should be assured him for life, and the Pope, driven by necessity, consented in case Henry died without issue. The union of Sicily in the person of its ruler with the house of Hohenstaufen could therefore no longer be averted. Honorius, too weak to protest with firmness, must necessarily foresee the union of the two crowns, and the dangers which consequently arose for the State of the Church. For Frederick soon looked on Sicily as the practical basis of the scheme of the Italian monarchy, which he had inherited from his father, and as the foundation of a new kingdom, which he

Henry, King of the Romans, April 1220.

[1] Hagenau, February 10, 1220. Böhmer-Ficker, 1091.

[2] Nuremberg, July 13, 1220. Winkelmann, *Acta imp. ined.*, 180.

hoped to rule from the land of which alone he was actually monarch.

In June 1219 Honorius had already left Rome, which was becoming disturbed, for Rieti and Viterbo, whence he returned after a short time, once more to seek refuge in Viterbo.[1] The democratic party was again astir. The city commune, no longer feeling the pressure of Innocent's energetic hand, strove for the recovery of its lost rights. In these differences Frederick was able to render a service to the Pope. He sent the Abbot of Fulda with letters to the Romans, which were read aloud on the Capitol; he pointed out his approaching journey to Rome, and exhorted them to obedience to the Pope. In his answer the Senator Parentius expressed to the King the thanks of the Roman people, invited him to come for his coronation, and assured him that the city was prepared to maintain peace with the Church.[2] Honorius became reconciled to the Romans and was enabled to return in October.[3]

Parentius, Senator, 1219.

[1] Rich. of S. Germ., *ad A.* 1218; *propter Romanor. molestias—coactus est Viterbiam remeare.* The year is 1219. After the beginning of July he is at Rieti; in the beginning of February 1220 in Viterbo; on June 12, and as late as September 4, in Orvieto; at the end of September in Viterbo; in October 1220 in Rome.

[2] Parentius Parentii was Podestà of Foligno in 1215; of Perugia in 1216 (Jacobelli, *discorso di Foligno*, p. 59; and *Hist. Fulginatis, Rer. Ital. Script. Florent.*, i. 849); in 1203, 1218, 1219, Podestà of Orvieto (Liugi Fumi, *Cod. dip. della città di Orvieto* for these years). His undated letter, *Mon. Germ.*, iv. 241: *Gloriosissimo D. F., dei gr. Regi in Roman. Imp. electo, semper Aug. et Regi Siciliæ, Parentius ead. gr. Almæ et Vener. Urbis ill. Senator et Pop. univ. Rom. salutem.*

[3] The *Series Cronologica Almæ Urbis Senatorum*, compiled in 1736 and preserved in the Archives of the Capitol, begins with the

In September 1220 Frederick himself came to Lombardy, where he found the cities at variance with one another, and neither friendly nor yet openly hostile to himself. After tedious negotiations with the papal legates concerning the concordat of the coronation and the future position of Sicily, he proceeded to Rome. He came with his wife, with several princes of the empire, and with an army of moderate size. He issued a manifesto from his camp on Monte Mario, which announced that the empire possessed no rights over Sicily, and that the papal fief should remain severed from the empire.[1] Honorius crowned him and Constance on November 22, 1220, in S. Peter's in perfect and hitherto unexampled quiet in the city and amid the "immeasurable" rejoicings of the people.[2] The Romans, who for the first time after a long interval, took a festive part in an imperial coronation, hospitably opened

Imperial coronation of Frederick II., Nov. 22, 1220.

year 1220. I compared with it the MS. of Giacinto Gigli, who, in the seventeenth century, first attempted to reconstruct the Fasti of the mediæval Senate: *Cronologia dei Consoli, Priori e Magistrati di Roma*, in the *Bibl. S. Croce*. His work was continued by Carlo Cartari, and corrected by Mandosi (Crescimbeni, *Stato di S. M. in Cosmedin nel* 1719, c. 4). It was made use of by Zabarella in the *Aula Heroum*, and by an anonymous author, whose manuscript history of the Senate covers the period from 908 to 1399. This uncritical work formerly belonged to the Frangipani library, but is now in the possession of the house of Colonna.

[1] Böhmer-Ficker, 1201; after Huillard, *Rouleaux de Cluny*, 87.

[2] *Reineri Annales ad A.* 1220. Salimbeni, *Chron.*, p. 5. The Pope writes: *cum inestimabili alacritate ac pace civium Romanor. solemnissime coronasse* (to Pelagius of Albano, December 15, *Hist. Dipl.*, ii. 82). Schmidt, *Gesch. d. Deutsch.*, v. 240, well says that, apart from this case, the Romans had more respect for a King of Sicily than for a German emperor.

their gates, and Germans and Latins refrained from cooling their national hatred in streams of blood.[1] The presence of various princes and envoys from cities gave splendour and importance to the ceremony: the barons of Sicily also appeared to do homage and were not prevented by the Pope. The function was to close the long series of imperial coronations of the ancient system, for the old German empire, its greatness and historic significance, came to an end in the grandson of Barbarossa; and henceforward, for nearly a hundred years, Rome witnessed no coronation of an emperor until Henry VII. came, amid battle and tumult, to take the crown, although not in S. Peter's.

The coronation constitutions.

Honorius had consented to the coronation of the son of Henry VI., at the price of valuable concessions; these constitutions in favour of the Church were, according to the terms of the capitulation, proclaimed in the cathedral as laws which were valid throughout the empire. They accorded full liberty to the Church. All statutes issued by princes or cities against the clergy, or the ecclesiastical power, were pronounced heretical; all persons excommunicated by the Church for encroachments on her jurisdiction were after a year to be placed under the ban of the empire also; the exemption of the clergy from taxation was ratified, heretics were placed outside the pale of the law, and the denunciation and extermination of them was enjoined on all

[1] Only a dispute between the envoys of Pisa and Florence, about the present of a dog, developed into a combat between their respective retainers, and thence into war between the cities. Villani, vi. c. 2.

magistrates. Safety was secured to pilgrims, restitution of property to the shipwrecked, peaceful occupation to the peasant. Laws so humane were merely appended as unimportant articles to these constitutions, over the darkness of which they shed a faint glimmer of a better future.[1] In the Carolingian period emperors had issued civic constitutions, which regulated the legal relations of the Romans or the laws of the papal election, and which received the authority of the emperor. In the time of Innocent III. they merely announced the exemption of the clergy from the authority of the State, and promulgated edicts for the extirpation of heresy by means of the Inquisition. The empire was devoid of power and rights within the city. The romantic boy Otto III. had more authority in Rome than Barbarossa or Frederick II.

The last heir of the house of Hohenstaufen, whom the Church but unwillingly raised to the throne of empire, had nevertheless ratified her in the possession of privileges, which the Guelf Otto had only been able to concede. Her victory was complete. The long quarrel for investitures was decided in the recognition of her independence of the State.

Honorius was in truth satisfied when, on the day

[1] Rome, November 22, 1220. *Mon. Germ.*, iv. 243 f: a *lex constitutiva de abrogatione omn. statutorum et consuetudinum adv. ecclesias, clericos vel ecclesiasticam libertatem, et de abolitione omn. heresum.* The long article against the heretics (*Chataros, Patarenos, Leonistas, Speronistas, Arnaldistas, Circumcisos*) repeats the edicts of Otto IV. The command enjoining the persecution of heretics, which Innocent had ordained should be inserted in the statutes of all communes, now became an imperial law.

Frederick II. renews his vow to undertake the Crusade.

of his coronation, Frederick II. took the cross from the hand of Cardinal Hugolino, and promised to sail for Syria in the following August. He allowed the important affairs of Sicily to rest; he continued to bestow the title of "King of Sicily" upon the Emperor, no doubt after Frederick had tranquillised him with the assurance that the personal union of the island with the empire would never become a real union.[1]

4. Frederick returns to Sicily—Honorius III. in peaceful possession of the State of the Church—The Romagna ruled by an Imperial Count—Disturbances at Spoleto—Rome and Viterbo—Democratic movements in Perugia—Rome and Perugia—Flight of the Pope from Rome—Parentius, Senator—Negotiations concerning the oft-delayed Crusade—Angelo de Benincasa, Senator—Hostile attitude of the Lombards to the Emperor—Strained relations between the Emperor and the Pope—Breach between Frederick and John of Brienne—Death of Honorius III., 1227.

The Emperor remained for three days longer in camp on Monte Mario;[2] then proceeded by way of

[1] On November 10 the Pope had again instructed his legates to warn the King against the union of Sicily with the empire (*in sedis ap. nec non posteritatis suæ dispendium, Mon. Germ.*, iv. 242). On December 11, 1220, he writes *F. Rom. Imp. semper Aug. et Regi Sicilie* (Würdtwein, *Nova subsidia*, i. 45). Ed. Winkelmann, *Gesch. Friedrich's II. und seiner Reiche*, Berlin, 1863, p. 146.

[2] His celebrated diploma for Pisa is dated *in Monte Malo prope urbem VIII. Kal. Dec.* He gives Pisa all imperial rights *a civitate*

Sutri and Narni to Tivoli, which he reached on December 5. The Pope had commanded the towns of Roman Tuscany to yield the foderum to the imperial army, but since the coronation procession did not touch either the Maritima or Campagna, he disputed the Emperor's right to levy the same tax on these territories. If, as he observed, earlier emperors had illegally required the support of their armies, they had only done so when hurrying on to invade Sicily. Notwithstanding he instructed the Rector of Campania to pay the foderum, the last miserable remains of the imperial rights.[1]

Frederick continued his way through Latium to enter his hereditary kingdom of Sicily as Emperor, and this journey it was that disturbed the joy of the Curia, which longed to see him occupied in the East. He assembled the barons of Apulia in Capua, and immediately proceeded to the task of adjusting the affairs of the kingdom by new laws. He again confirmed the Pope in possession of the State of the Church and the territories of Matilda; he did not follow the example of Otto IV., but conscientiously fulfilled his obligations. At the beginning of Febru-

Vecla usque ad portum Veneris. Flaminio del Borgo, p. 42. The *Hopitale S. Agathes de Monte Malo,* which Honorius III. took under his protection, stood at that time on Monte Mario. Lateran, *XIV. Kal. Maji a. I.* (*Mscr. Vatican.*, 8051, p. 39). Documents of Frederick until November 25 are dated in *castris prope Urbem in Monte Malo;* in *castris Rome ap. Mont. Malum;* in *prato in imperiali parlamento et exercitu.*

[1] Letter of December 11, 1220. Nevertheless in the treaties made with Otto IV. the land from Radicofani to Ceprano belonged to those who were obliged to render the foderum; so likewise in the Contract of Hagenau, 1219.

ary 1221 Honorius could acknowledge that, with the help of the Emperor, he ruled in peace over Spoleto, a great part of Matilda's county, as also over the entire patrimony from the Bridge of the Liris to Radicofani, while the rebellious March of Ancona had been bestowed in fief on Azzo of Este, and had been reduced to subjection by this vassal in the name of the Church.[1]

Far removed from the ambition of his predecessor, Honorius III. only cared for the preservation of peace between the Church and the empire, and for the fulfilment of his pious wish to see Jerusalem delivered. To him more than to other popes might have been granted the peaceful possession of the State of the Church. But never has the dominion over great empires cost dynasties such arduous struggles as the little territory, over which they desired to rule as kings, cost the bishops of Rome. The genius of a hundred popes, the energy and property of the Church, countless wars and excommunications, oaths, and concordats were expended to create and uphold the State of the Church, and almost every pope was forced to begin the work afresh and laboriously to piece together the fragments in which the corporate body of the Church had been ever again shattered by the sword-thrusts of princes. Throughout the entire Middle Ages the popes rolled the stone of Sisyphus.[2]

[1] *Universo patrim. B. Petri a ponte Ceperani usq. Radicofanum possesso et disposito pacifice et quiete pro beneplacito nore voluntatis.* Letter *Universis* . . . February 18, 1221, from the Lateran. *Hist. Dipl.*, ii. 128.

[2] But also the Romans and the emperors. Dante's magnificent

When by solemn treaties Frederick had confirmed the State of the Church according to Innocent's definition, he was at first inclined to let it stand. This is still proved by the Archives of Capua. Profound suspicion on the part of the Curia, however, accompanied every action of the son of Henry VI., while Frederick saw nothing but egoism and intriguing schemes in the designs of the Curia. This distrust worked more mischief than an openly hostile act. The idea of the universal power of the Roman empire came into constant antagonism with the idea of the universal power of the Church, and Italy remained the natural subject of the eternal conflict. The desire of again subjugating the country, in which the roots of the empire rested, laid hold of Frederick II., as it had laid hold of Otto IV. The strife of the factions which lacerated the cities, aflame in fratricidal war, invited the Emperor to step between the contending parties and to make his own profit from the strife. The permanent principle of decay, which lay within the State of the Church, induced him to stretch forth his hand towards the rights of the empire, which he had already renounced, while the Church sought to make valid ancient rights which time and the vicissitudes of property, such as Matilda's estates, had rendered almost unrecognisable.

picture of the spirits rolling stones might be applied to all three.

Voltando pesi per forza di poppa:
Percotevansi incontro, e poscia pur li
Si rivolgeva ciascun, voltando a retro,
Gridando: perchè tieni? e perchè burli?

—*Inferno*, vii.

The satisfaction of Honorius soon came to an end. As early as June 1221 the Emperor appointed Godfrey of Blandrate Count of the Romagna, a province which had been regarded as imperial property from the time of the Ottos. The jurisdiction of imperial viscounts in this district lasted without opposition until 1250 and even later.[1] In Spoleto (which, like Perugia and Assisi, now for the first time completely surrendered to the Church, and which was governed by Cardinal Rainer Capocci) Berthold, a son of the former Duke Conrad, aspired to the recovery of the extinct dukedom of his father. He formed an alliance with the Seneschal Gunzelin; they appeared at open enmity with the cardinal both in Spoleto and the March, incited towns to rebellion, expelled the papal officials, and appointed their own. Thus here also the imperial rights came into conflict with the new papal rights, and although Frederick imposed a check on the transactions of these lords, suspicions of his honesty were entertained in Rome.[2]

Godfrey of Blandrate, imperial Count of the Romagna, 1221.

The Romans meanwhile were again at war with Viterbo; disputes concerning the possession of fortresses offered a constant opportunity for the out-

The Romans make war on Viterbo, 1221.

[1] Tonnini, *Storia di Rimini* (Rimini, 1862), p. 31. Since the Pope did not complain of this appointment of the count, it is evident that he recognised the rights of the empire. For the installation of Godfrey on June 13, 1221, see *Hist. Dipl.*, ii. 186. *Ugolinus de Juliano* had already been *comes Romaniolæ*.

[2] The long correspondence concerning these events is given in Raynald, *ad Ann.* 1222. With regard to the Dukes of Spoleto, Reinold and Berthold, the sons of Conrad of Uerslingen, see Stälin, *Würtemb. Gesch.*, ii. 586.

break of inextinguishable hatred. In September 1220 the city of Viterbo acquired Civita Vecchia by purchase. Viterbo was now a large and wealthy trading town, Corneto being her only rival in the Tuscan Maritima. She was able to put in the field eighteen thousand armed men.[1] As in every other commune nobles and citizens fought for power, and families arose who usurped it. The rival houses of Gatti and Tignosi drew the Romans, who had again lost the rights acquired in 1201, into their quarrel.[2] Thus war broke out in 1221 and was long continued. Honorius himself was involved in the strife, and his attitude of mediator, or of sympathiser with the Viterbese, whom he strove to protect from the hatred of the Romans, provoked a revolt.[3]

Events in Perugia also filled the Romans with suspicion. This flourishing city had done homage for the first time to Innocent III., and from him had acquired recognition of its municipal statute. The Pope, as protector of Perugia, had unsuccessfully striven to appease the bitter warfare between nobles

[1] *Cronica di Viterbo*, *ad A.* 1225, *Cod. Bibl. Angelicæ*, B. 7, 23. It numbered 60,000 inhabitants; the district belonging to the city, however, was probably included in the reckoning. For the treaty of purchase between Viterbo and Centumcellæ (Civita Vecchia), see Pinzi, *Storia di Viterbo*, 1887, i. 276 f.

[2] Concerning these two families, Pinzi, i. 266 f. I find the first mention of the name Tignosus in the *Regesto di Farfa* (Rome, 1879), ii. n. 633, A. 1044 : *Ego Johes qui dicor Tiniosus fil. cujusd. Tebaldi.* The Tiniosi are found in the Sabina, in Viterbo, in Rome.

[3] According to these *Chronicles* the Romans appeared before Viterbo in 1221, and again in 1222. Richard de S. Ger. : *Romani super Viterbium vadunt.* More details in Bussi and in the latest history of Viterbo by Pinzi, vol. i., 1887.

The democracy in Perugia.

and people (*Raspanti*); the popular party strove to sever itself again from the Church, and in 1220 it was only with difficulty that the papal rector was able to retain Perugia. While in Rome there was nothing to show that the guilds or *Artes* were already powerful corporations, in Perugia they formed armed leagues under rectors and consuls, who aimed at setting up a democratic government. The popular party issued statutes against the liberty of the clergy, whom they taxed, and, irritated by the unjust distribution of imposts, made war on the nobles and knights. John Colonna, Cardinal of S. Prassede, was sent by the Pope to Perugia with extraordinary powers, stepped between the parties, and arbitrarily suppressed the associations in their political form; a measure which Honorius ratified in 1223.[1] It must not, however, from this case be supposed that the popes generally suppressed the communes. This they were too weak to do. On the contrary, they allied themselves with the democratic element, in order to find a support against Frederick. In face of Frederick, they might have said of the papal rule, that its yoke was easy and benign, for this Emperor of strong monarchical

[1] In Theiner, i. n. 127. The factions (*pars*) are *milites* and *Populares*. *Societates, communitates seu fraternitates cedonum, pelliparior. lanificum et alior. artificum* were abolished. On November 27, 1223, however, Honorius restored to the merchants the liberty of electing rectors, even with the faculty *pacis ineant federa*. *Ib.*, n. 128. The cardinal did not abolish the guilds, but only their political companies. *Milites* and *populus* were at strife even in Latium; thus in Anagni where the Pope himself effected a peace on August 11, 1231: n. 161. The conflicts in Perugia were continued under Gregory IX.

principles, who determined to bend all political individualities to his law, was the determined enemy of every form of democracy, and in his kingdom of Sicily forbade the election of podestàs and consuls under pain of death.[1]

That besides the war with Viterbo, these occurrences contributed to foster the irritation in Rome is undoubted, since Perugia formally recognised the authority of the Roman Senate. Throughout almost the entire course of the thirteenth century the office of podestà was here administered by noble Romans.[2] The ancient Roman colony of Perugia still piously honoured even papal Rome as her illustrious mother and mistress, the all-transforming centuries having failed to efface a hallowed tradition. In public deeds, even in the oldest statutes of the commune of Perugia of the year 1279, we find the formula of respectful recognition of the supreme rights of the

Perugia recognises the supremacy of the Roman people.

[1] In 1232 he suppressed all the corporations in the episcopal cities of Germany : *Mon. Germ.*, iv. 286 ; the city magistrates in Provençe in October 1226 : *Ibid.*, 256. Although he gave a greater representation to the communes of Sicily, and for the first time summoned their syndics to Parliament in 1240, he nevertheless permitted no jurisdiction to the towns. The royal bajulus always presided over their "Consigli." (Gregorio, *Considerazioni sopra la storia di Sicilia*, iii. c. 5.)

[2] See the list in Mariotti, better in Franc. Bartoli, *Storia della Città di Perugia*, 1843, vol. i. The podestà does not appear there before 1174. The first Roman was Stephen Carzullus. Capocci, Papa, Bobo, Gregorii, de Judice, Pandulf, Parentii, Oddo, Anibaldi, &c., appear there as podestàs. The formula *nob. et pot. mil. D. Joannes . . . Dei et Rom. Populi gr. honorab. Potestas Civitatis et Comm. Perusii* was still used in 1289. (Pellini, *Hist. di Perugia*, p. 305.) Thus again in 1292 *D. Paulus Capoccini de Capoccis de Roma Proconsul per Senat. Popque R. Potestas Perugii* (Mariotti, i.).

Roman people, and the invocation "in honour" of the Pope and the saints is followed by that of the Alma Mater Roma.[1] The authority of the city of Rome was recognised far beyond her territory, in Umbria and the duchy of Spoleto, where in many districts, and especially in Orvieto, the office of podestà was frequently filled by Romans. When still later, in the year 1286, Perugia, Todi, Narni, and Spoleto formed a forty years' league, they expressly inserted in the treaty the formula, "in honour of our Mother, the illustrious city."[2] Likewise a formula "in honour of the illustrious city of Rome" is found in the draft of a treaty between Orvieto and Perugia in 1313.[3]

In the disturbances which soon afterwards broke forth in Rome, the same Richard Conti who formerly

[1] The first statutes in the Archives of Perugia begin: *Ad laudem—Dei—S. R. E., Summi pont., suorumque fratr. Cardinalium, et Alme urbis et Comm. et P. Romani.* — In 1214 an instrument declares that the levying of taxes was only admissible in Perugia *pro servitio Eccl. Rom., Populi Romani, Imp. vel nuntii sui* (Theiner, i. n. 58). These cases were in 1234 engraven on the *Petra Justitiæ*, an inscription still remaining built into the wall of the cathedral of the city. Perugia and Orvieto formed a league on August 5: *ad hon. matris nostræ Alme Urbis* (Archives of Perugia, *Lib. Sommiss. C.*, fol. 21). Bonaini justly recognises the relation of dependence (*Archivio storico*, xvi. p. i., p. xxxviii.). Nevertheless it was more honorary than actual.

[2] *Ad. hon. matris n. Almæ Urbis.* Act of November 28, 1286. City Archives of Todi, *Regist. Vetus*, fol. 200. Todi and Perugia concluded an alliance on August 11, 1230; they excepted from their attacks *D. Papam, Imp. et Civitatem Almæ urbis Romæ. Ibid.*, fol. 23. After 1200, Romans are almost invariably found as podestàs of Todi. List of the podestàs of Todi by Ottaviano Ciccolini.

[3] Act of October 14, 1313. Fumi, *Cod. Dipl. di Orvieto*, p. 411.

played so large a part in the civic feuds once more appears. Frederick had recovered Sora from this powerful count. Richard had gone to Rome, had found no support from the Pope, and now began, with his adherents, to make war on the Savelli, and other friends of Honorius. The Pope escaped to Tivoli in May 1225, and thence to Rieti.[1] Parentius was now again Senator. Although this Roman numbered a martyr among his relatives, he was nevertheless a determined enemy of the priesthood. Already as podestà in Lucca he had taxed or banished the clergy, and in consequence had drawn upon himself the anathema of the Pope, from which, however, he had since been absolved. Honorius may possibly have refused to confirm him in the office of Senator, and his violent installation by the populace may have been one of the actual causes of the revolt.[2]

Honorius III. banished from Rome.

Parentius, Senator, 1225.

Relations between the Pope and the Emperor were already strained to the utmost. The Emperor

[1] *Chronicle of Tours*, Recueil xviii. 311: *Richardus Comes Soranus—aliique Romani contra nepotes Papæ H. de die in diem—assaltib. dimicarent, H. Papa ab urbe egreditur.* Richard had acquired the island of the Tiber at Ostia, the third part of the sea-coast and the river banks as far as the Marmorata, which had formerly belonged to the Bishop of Ostia. Honorius recovered these territories from Richard, and gave them back to the bishop. Document, *Cod. Vat.*, 6223, *dat. Lateran. Non. Aprilis a X.* Two nobles, Cinzio and Bobazano, in order to oppress Ostia, had built a fortress there, a portion of which, perhaps, still exists as the *Tor Bovacciana. Registri dei Card. Ugolino d'Ostia e Ottaviano degli Ubaldini*, ed. G. Levi, Rome, 1890, p. 127.

[2] Richard a S. Germ., 1225. *H. urbem exiens propter seditiones et bella, quæ in ea fiunt sub Parentio Senatore, apud Tiburim se contulit.* I cannot from documents reconstruct the series of senators up to 1225. Honorius was in Tivoli on May 15.

refused to interrupt the progress of his reforms in Sicily to set forth on the Crusade, about which he was incessantly tormented, while he cunningly evaded his obligations. The fall of Damietta (on September 8, 1221) had filled the West with terror. Emperor and Pope had spent fourteen days together at Veroli in April 1222, where a congress had been agreed upon in Verona; the congress, however, did not take place. At another meeting in the beginning of 1223 at Ferentino, at which John of Brienne, King of Jerusalem, the Patriarch, and the three grand-masters were present, the undertaking had been deferred until the summer of 1225. In order to bind Frederick the more firmly, the Pope persuaded him to accept the hand of Iolantha, the only daughter of the titular King of Jerusalem, his first wife Constance having died on June 23, 1222.[1] The year 1225 came, without the ardent wish of the Pope being realised, for the kings of the West refused their support. The envoys of Frederick, who desired a yet further delay, among them Brienne himself, found the Pope an exile from Rome in Rieti. Necessity compelled him to accede to their proposals, and on July 25 the Emperor, in the presence of the papal legates at S. Germano, swore under penalty of excommunication that he would set forth on the Crusade in August 1227.[2]

[1] John, brother of Walter of Brienne, was a valiant man of great strength, *ita ut alter Karolus Pipini fil. crederetur*. Salimbene, *Chron.*, p. 16. The marriage with Iolantha took place at Brindisi on November 9, 1225.

[2] Document in *Mon. Germ.*, iv. 255.

Honorius spent the winter in Rieti, while negotiations were pending for his return; for the Emperor, who had attained his desires, now stepped forward as a mediator. Peace was concluded between the Church and the city in the autumn. Parentius renounced his office and Angelo de Benincasa took his place.[1] The Pope was now able to return to Rome in February 1226. He lived a year in the city in such painful agitation that his misunderstanding with the Emperor approached an open rupture. Meanwhile Frederick had overcome all obstacles in Apulia and Sicily, had subjugated the rebellious barons, subdued the Saracens on the island and settled them in Lucera on the mainland, had founded the university of Naples, and by a better administration had increased the resources of the magnificent country. Various circumstances, however, combined to make him violate the peace with the Church and to force him into the terrible wars which were to accompany his entire life.

Angelo de Benincasa, Senator in the autumn of 1225.

The Lombard cities refused to recognise the rights which the peace of Constance had left to the empire. A relic of ancient imperial supremacy, indefinite in its limits, afforded to them an opportunity of rendering less than was their due, and to the Emperor occasion to demand more than was his right. It soon became his avowed intention to restore the imperial

Resistance made by the Lombard cities to the Emperor.

[1] Probably in November (1225) when the new election usually took place. Rich. a S. Germano, *ad A.* 1225. Andrew, brother of the Senator, escaped to Spoleto, where a branch of the family continued to flourish, while another remained in Rome. Olivieri, *del Senato*, p. 210. Parentii are found as podestàs in Siena, Orvieto, and Foligno until 1286.

authority on the Po, and to claim the recovery of the whole of Italy as "his inheritance." Towns which had grown powerful, filled with national pride, fought as in the time of Barbarossa for freedom and independence.[1] Their heroic resistance deserved a better reward; although to their disunion was due the failure to achieve any lasting success. The Lombards, hearing of Frederick's speedy approach from Apulia, renewed their old league for twenty-five years in the treaty of Mosio, in Mantuan territory, on March 2, 1226. The news met with the Pope's glad approval. The threatening attitude of the cities, which prevented King Henry from crossing the Alps to reach the imperial diet summoned at Cremona, drew upon them the ban of the empire. A compromise proposed by the Pope, to whom appeal had been made by both sides, was little calculated to satisfy Frederick, for Honorius showed himself, as was but natural, a partisan of the Lombards.[2]

The Emperor proscribes the cities in the summer of 1226.

Discord between Emperor and Pope.

The tension was further increased by quarrels concerning the episcopal investiture in Sicily, which was claimed by the Pope and disputed by Frederick, who no sooner felt himself master of his hereditary dominion, than he wished to make it entirely inde-

[1] *Avitas et paternas prosequimur injurias, et productam jam ad alias regiones libertatis insidiose propaginem nitimur supplantare:* thus spake Frederick in June 1236. *Hist. Dipl.*, iv. 873.

[2] The ban (pronounced in S. Donino on June 11, 1226) fell on Milan, Verona, Piacenza, Vercelli, Lodi, Alessandria, Treviso, Padua, Vicenza, Turin, Novara, Mantua, Brescia, Bologna, Faenza. Rich. a San Germ., *ad A.* 1226. Modena, Reggio, Parma, Cremona, Asti, Pavia, Lucca, and Pisa were imperialist.

pendent of the Pope. The Curia watched with increasing suspicion the wise reforms of the Emperor, who transformed the kingdom into an independent monarchy. It was here that Frederick laid the foundations of his power, and from here he strove to reach his goal, that of creating a united monarchic Italy, by the annihilation of the Italian federations, of the freedom of the cities, and of the State of the Church. Such at least were the fears already entertained at the papal court.

There too John of Brienne appeared as an accuser. For scarcely had Frederick married Iolantha, who through her mother Maria was heiress of Jerusalem, when he assumed the title of King of Jerusalem, and his father-in-law, betrayed in all his hopes, brought his complaints before the papal throne. Honorius made use of the abilities of the chivalrous ex-king—a brother of that Walter who had formerly served under Innocent III.—while he entrusted him with the temporal government of a great part of the ecclesiastical State.[1] The miserable result of all the Pope's passionate efforts to institute a Crusade was, that the successor of Godfrey of Bouillon entered the service of the Church, to spend the remainder of his life as rector of the patrimony.

Honorius died in the Lateran on March 18, 1227. Death of Honorius III., March 18, 1227.

[1] Bull to the inhabitants of the ecclesiastical territories in question, issued on January 27, 1227, Raynald, n. 5. *Totum patrimon. quod habet R. E. a Radicofano usque Romam, excepta Marchia Anconitana, ducatu Spoleti, Reate ac Sabinæ, curæ regimini et custodiæ ipsius regis duximus comittendum;* the list of the places follows. In the letters of Gregory IX. John of Brienne is called simply *Rector patrimonii B. Petri in Tuscia.*

CHAPTER IV.

1. Hugolinus Conti as Pope Gregory IX.—Summons the Emperor to start on the Crusade—Departure, Return, and Excommunication of Frederick, 1227—Manifestos of the Emperor and the Pope—The Imperial Faction drives Gregory IX. from Rome—Crusade of the Emperor—The Pope invades Apulia, 1229—Return of the Emperor and Flight of the Papal Army.

To one of the most peace-loving of popes succeeded a man of strong passions and an iron strength of will. Hugolinus, Cardinal-bishop of Ostia, already elected in S. Gregorio on the Septizonium and proclaimed as Gregory IX. on March 19, 1227, belonged to the family of Conti of Anagni, and was related to Innocent in the third degree.[1] He had outlived the reigns of several popes, and in his youth had been deeply stirred by the great events which had taken place under Alexander III. Innocent, his perhaps younger relative, had made him Bishop of Ostia, and he had fortified this seaport with new walls. During many years he managed the affairs of the

Gregory IX., Pope, 1227–1241.

[1] His descent from the Conti is established, but it is not certain that Tristan (his father) was the brother of Innocent III. His age can only be reckoned from a statement of Matthew Paris who says that he died nearly a hundred years old.

Church in Italy as well as in Germany, where as legate he conducted the difficult negotiations in the quarrel for the succession. We have seen him as the earliest protector of the order of Minorites. A flame of the fire of Francis and Dominic glowed within his breast, moulded his innate strength of character, and made him indomitable and defiant to the point of utter scorn of all opposition. An aged and eloquent man of blameless life, of intimate knowledge of both civil and canon law, and of earnest faith, he presented, both in form and aspect, the appearance of a patriarch, while his unimpaired memory diminished the impression of age.[1]

When Hugolinus (who had looked with indignation on the yielding character of Honorius) ascended the sacred chair, it was felt that he would not emulate the patience of his predecessor, and precisely on this account had he been chosen by the cardinals.[2] He was consecrated in S. Peter's on March 21. The Romans accompanied him with acclamations to the Lateran, and amid the solemn procession were seen both the Senator and the Prefect of the city. The third day after his consecration Gregory IX. announced his elevation to Frederick, with whom he had long been on friendly terms, and summoned

[1] *Forma decorus, et venustus aspectu, perspicacis ingenii et fidelis memorie prerogativa dotatus, liberalium et utriusq. juris peritia instructus, fluvius eloquentie Tulliane.* Contemporary *Vita* (Mur., iii. 575). He is praised as a *cedrus Libani prelatus in Ecclesie paradiso*, in the bull of Honorius of March 4, 1221. Honorius appointed him legate : *Registro del Card. Ugolino d'Ostia*, ed. G. Levi, Rome, 1890, p. 138. Frederick II. also praised his eloquence.

[2] *Gregorius IX. Papa, velut fulgor meridianus egreditur. Ibid.*

He requires Frederick II. to undertake the Crusade.

him immediately to set forth on the Crusade, since August, the latest date appointed, was drawing near.[1] It was from Gregory's hands that the Emperor had taken the Cross on the day of his coronation. Frederick immediately announced that he was ready to depart, and numbers of crusaders, chiefly Germans, assembled at Brindisi, where, at the most unhealthy time of year, they awaited the signal to embark. An epidemic, which resembled a pestilence, broke out and carried away thousands. At length the Emperor arrived from Messina, and probably no crusader ever stepped more unwillingly on board his vessel than the grandson of that Barbarossa who had died in Syria.

When, on September 8, he at last set sail from Brindisi, the Te Deum resounded in all the churches, and the prayers of the Pope accompanied him on the sea. But in the course of a few days the strange report arrived, that the Emperor had returned, had disembarked, and had deferred the Crusade. And this was indeed the case. Frederick, either actually or ostensibly taken ill at sea, had ordered his galleys to turn and had landed at Otranto, where the Landgrave of Thuringia, the husband of S. Elizabeth, fell a victim to fever. When the Pope received the letters which confirmed and excused the unexpected tidings, he was overcome by a transport of indignation. He would listen neither to promises or

[1] Dated on March 23, Lateran, *Cod. Ottobon.*, n. 1625, fol. 69. Likewise his encyclical with the appeal to the clergy to labour for the Crusade. Joseph Felten, *Papst Gregor IX. in seinem Verh. zu Kaiser Friedrich II.* (*von* 1227–1236), Freiburg, 1886.

explanations. On September 29 he mounted the pulpit of the cathedral of Anagni in full pontificals, and, in conformity with the treaty of S. Germano, pronounced sentence of excommunication on the Emperor, while the priests ranged at each side of the high altar threw their burning tapers to the ground. After the impotent threats of Honorius fell the actual thunderbolt.

The Pope excommunicates the Emperor in Anagni on Sept. 29, 1227.

Gregory's sudden audacity appeared to some as grand, to others merely as the overhastiness of anger, pardonable on the score of exhausted patience, but not on that of prudence. The aged Pope, one of those characters that tolerate no half measures, challenged the man, in whom he only saw the most crafty enemy of the Church, who had played upon the weakness of Honorius. He violated uncertain and therefore intolerable relations, preferring open warfare to a worthless peace. The masks fell. The two heads of Christendom, through their manifestos to the world, announced that the harmony between the ancient hereditary enemies was an impossibility. Was Frederick's real offence in the eyes of the Church the postponement of the Crusade? Assuredly not. His power, which was becoming too formidable, the union of Sicily with the empire, his dominion over the Ghibelline cities in North and Central Italy, which menaced the Lombard league, were his actual sins. No emperor has ever had so many and so strong foundations of practical dominion in Italy as Frederick II., the absolute King of Sicily. To eradicate the Hohenstaufen power remained henceforward the aim of papal

policy, an aim which it prosecuted with admirable perseverance.

In his encyclical to all the bishops, Gregory painted Frederick's ingratitude in the blackest colours—mercilessly branded him in sight of the world. The violence of the attack roused the fierce indignation of the Emperor, and forced him to a no less ruthless reply. He ably justified his return from the Crusade, and then issued a manifesto to the kings. This celebrated document contains the first protest of secular authority against the Papacy of Innocent. The Emperor arose with the clear consciousness that he was the representative of the secular power, which he had to defend against the threatening absolutism of Rome. From the examples of the unfortunate Count of Toulouse and of the King of England, he pointed out to princes and peoples what they had to expect; he drew an unsparing picture of the secularisation of the Curia, of the lust of power of the popes. The supreme head of the State made the sins of the Church a subject of discussion for the whole world, and the Emperor of Christendom seemed to ratify the views of the heretics concerning the unapostolic nature of the Papacy.[1] Roffred of Benevento, a celebrated jurist,

Manifestos of the Pope and of the Emperor.

[1] Ingenious justification, Capua, December 6. *Hist. Dipl.*, iii. 37. In addition the celebrated letter to England (49). *Ecce mores Romanor., ecce laquei prælator., quib. universos ac sing. quærunt illaqueare, nummos emungere, liberos subjugare, pacificos inquietare, in vestib. ovium cum sint intrinsecus lupi rapaces.* At the end he appeals to the kings: *Tunc tua res agitur paries cum proximus ardet.* Cherrier, *Lutte des Papes et des Empereurs*, ii., says: *cette lettre remarquable, qui, trois siècles avant Luther, fait déjà pressentir ce reformateur.* . .

even brought the imperial manifesto to Rome, where it was read on the Capitol amid shouts of approval. An imperial party immediately formed, since the quarrel between Church and State appeared to the Romans highly welcome for their own position. Gregory IX. had acted with severity in the city; he had caused some towers at the Lateran belonging to the nobility to be pulled down, and the commune was irritated at the dispute concerning Viterbo, a town which he protected. The factions were joined by the heretics, who, even in Rome itself, raised their heads from among the pyres with ever increasing boldness. An example serves to show the degree of anarchy that prevailed in the city. During the sojourn of the Pope in Latium in the summer, nobles and citizens, even monks and clergy, ventured to put forward as papal vicar in the Vatican an impostor, who for a sum of money released the crusaders journeying to Brindisi from their vows. This insolent trick was openly performed for six weeks in the portico of S. Peter's, until the Senator put an end to it.[1]

The Emperor's manifesto is read aloud on the Capitol.

Noble Romans accepted gold from Frederick; even John of Poli, the son of Richard Conti, was seen in his camp.[2] The Emperor, who invited these nobles

Frederick II. gains the Romans.

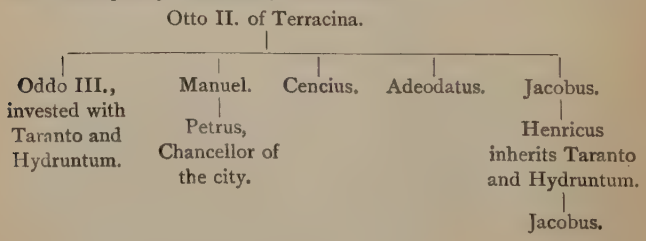
[1] Rich. Sangerm., p. 1003.

[2] John, the founder of the house of Conti-Poli, was invested with Alba by Frederick in 1230. Rich. Sangerm., p. 1024. The adherents of Frederick who were banished by the Pope in August 1229 were, Egidius de Palombara, Petrus Gregorii Pagare, Nicol. de Arcione (*Hist. Dipl.*, iii. 157). The family *de Arcionibus* received their name from ancient aqueducts. The *Via in Arcione* was so called from the *Aqua Virgo*, or from the *Alexandrina*. There were

to accompany him to Campania, seduced the Frangipani into selling him their estates, their fortresses in the city, and everything that they held in fief from the Pope, to receive these possessions back at his hands and thus to acknowledge themselves imperial vassals.[1] It was important to Frederick that he should create a party in Rome itself, should raise up enemies to the Pope, and should bring the Colosseum under his power. A revolt was the consequence of his measures. Gregory had again pronounced the anathema on the Emperor on Maundy Thursday of the year 1228. When, at the celebration of mass in S. Peter's on Easter Monday, he addressed a violent denunciation against Frederick to the people, he was interrupted by the Ghibellines with angry shouts;

several fortresses of this name in the *Ager Romanus* The largest still stands by the *Via Tiburtina.*

[1] *Chron. Ursperg.*, p. 247. The marriage of Oddo Frangipani with Anna Commena (1170) had bestowed lustre on this house; the Empress Constance had conferred Taranto and Hydruntum on the same Oddo; the investiture of Walter with Taranto irritated the Frangipani. The eulogy of Pope Honorius: *devotio indefessa, quam magnifici viri antiqui Frangipani a progenie in progeniem erga Rom. Ecc. habuerunt* (Bull, Rome, May 7, 1218, Raynald, n. 31), was exaggerated. The genealogical tree, according to the MS. of Panvinius and contemporary documents, is as follows:—



they overwhelmed him with insults at the altar, and drove him out of the sanctuary. The city rose in arms, while the fugitive Pope, under the escort of a band of faithful Guelfs, hurried to friendly Viterbo. The Romans followed him with a military force; they drove him on to Rieti and Perugia, cooled their hatred of Viterbo by a wanton devastation of the surrounding fields and conquered the disputed fortress of Rispampano.[1] From his place of exile Gregory IX. hurled his excommunication on his persecutor, and anxiously awaited the date of his return.

Gregory IX. driven from Rome, 1228.

Meanwhile the Emperor actually prepared to set forth on his Crusade. Thus employed he not only refuted the assertions of the Pope, who had accused him of never having entertained any serious intentions concerning this object, but even placed him in grave embarrassment. Under the existing circumstances Frederick's departure for the East was a master-stroke of diplomacy, all the greater since the Pope, to the perplexity of many devout minds, placed serious obstacles in his way. The Emperor of the West set forth towards what was then reputed the holiest object of the Church, but set forth under her ban. He embarked at Brindisi on June 28, 1228. The Church called after him in anger that he departed for Jerusalem not as a crusader but as a pirate. Instead of her blessing he was

Frederic II. sets forth on the Crusade, 1228.

[1] Matthew Paris, after Roger of Wendover, p. 349 : *illum ejecerunt ex urbe. . . .* Rich. Sangerm., p. 1004. *Chron. Ursp. : fecerunt, ut a populo pelleretur turpiter extra civitatem.* As early as April the Pope was in Rieti ; at the end of May in Assisi, in June in Perugia, where he canonised Francis on July 9, and where he remained until 1230. Potthast, *Regesta.*

followed by her curse, which reached him at the very grave of the Redeemer. One and the same Pope represented Frederick as a malefactor both because he had not, and because he had, undertaken the Crusade. Had Gregory IX. released his enemy from the ban when the latter actually departed for Jerusalem, he would have vanquished not only Frederick but himself, and would have shown himself in triumphant grandeur to the world. Such glaring inconsistency, however, diminished the belief in his sincere anxiety for the deliverance of Jerusalem, and Gregory thus destroyed the dream of two centuries. It was at least henceforward no longer possible to induce Germany to join in the enterprise.[1]

Rainald, son of the former Duke Conrad, appointed Vicar of Italy during the absence of the Emperor, forthwith irritated the Pope by an attack on Spoleto, and Gregory was no less eager to profit by Frederick's absence to render Apulia subject to the Church. He had raised an army shortly before the departure of the Emperor. He now called on Lombardy, Spain, France, and England, and even on the whole of Europe, to give him church-tithes or troops, and the people listened to a Crusade preached against the Emperor, who himself had gone under the banner of the Cross to fight against the infidel. They saw armies in the name of the Pope invade the territories of the absent Frederick, territories which, as the property of a crusader, should have been held inviolable

[1] When at a later time Lewis IX. undertook his Crusade, no one would any longer sell his property: the King was obliged to pay the crusaders. Cherrier, ii. 376.

according to both the law of nations and to canon law.[1] The papal crusaders, bearing the keys of S. Peter on their banner, were commanded by John of Brienne, father-in-law of the Emperor, by Cardinal John Colonna, and by Pandulf of Anagni, chaplain to the Pope.[2] While a portion of the troops entered the Marches, which had been invaded by Rainald at the head of a band of Saracens and Apulians, Pandulf advanced across the Liris into Campania on January 18, 1229. Here John of Poli successfully defended Fundi; several towns, however, surrendered to the papal army. The Romans were spared during this war; the Pope, whose eyes were directed towards Apulia alone, did not once make an attempt to reduce the city to obedience by means of his crusaders. He hastened to conquer the kingdom, the towns of which, oppressed by taxation, he enticed to rebellion by the bestowal of charters. Gaeta also surrendered to him, and Gregory IX. now hoped to retain a city which had long been claimed by the Church.[3]

The Pope institutes a Crusade against the Emperor.

The Emperor, summoned by the news of these proceedings, now suddenly returned from the East. With his own hand he had set the crown on his head

[1] *Contra legem Christianam decrevit vos in gladio vincere:* Thomas de Acerra to Frederick in Syria. Math. Paris, p. 353. In order to prosecute the war against the Emperor, the legate Stephen extorted large sums of money from England in the form of church-tithes. The English chronicler speaks of his conduct with great indignation.

[2] Iolantha, the Emperor's second wife, had already died in April 1228, after the birth of Conrad.

[3] He wrote to the inhabitants of Gaeta: *cum igitur reducti sitis ad fidelitatem et dominium Rom. Ecc., ad quam non erat dubium vos spectare:* Perugia, June 21, 1229 (*Hist. Dipl.*, iii. 143).

The Emperor returns from the East.

in Jerusalem on March 18, 1229, had by treaty restored the Holy City to the Christians, and, in spite of all the obstacles of fanaticism, had achieved a glorious work. The Roman Curia declaimed against him as against a blasphemer of the Christian religion; it took no heed either of the genuine services which he had rendered in the East, or of the practical reasons which, on account of the great traffic of Sicily with the Levant, made it his duty to establish friendly relations with the sultans of the East. This was natural; since the Emperor in the first instance had made the Crusades an affair of temporal policy, had ousted the Pope in the East, and had established political and economical relations between the East and the empire.[1]

He drives the papal troops out of Apulia.

When he now unexpectedly landed at Brindisi on June 10, 1229, he requested a reconciliation with the Pope and sent him emissaries of peace. But as these envoys met with no success, he drove the papal troops, almost without a struggle, out of his dominion. The banner with the cross stood confronting the banner with the keys, and men looked on in astonishment while Frederick's Saracens, ranged under the symbol of Christ, advanced against the papal troops, who meanwhile had retreated in disordered flight across the Liris. Gregory again thundered his ex-

[1] Frederick procured a ten years' truce and the cession of Jerusalem and other cities. The Saracens, however, were to guard the temple and to be allowed to pray there. *Transcriptum* of some chapters of the peace with the Sultan Kamil, *Epist. sæc. XIII. e regestis Pontif.*, collected by Pertz, edited by Rodenberg, 1883, *Mon. Germ.*, i. n. 380. R. Röhricht, *Die Kreuzfahrt Kaiser Friedrich's II.* 1228 *bis* 1229, Berlin, 1872.

communications against the Emperor and even against his adherents in Rome. He had already expended vast sums of money in a senseless war, and he again required the world to supply him with fresh resources. The Emperor congratulated the envoys of the Roman Senate at Aquino;[1] in October he marched against the frontiers of the State of the Church, and after Sora had been destroyed by fire and sword, the Pope gave ear to his overtures of peace.

2. Inundation of the Tiber, 1230—The Romans recall Gregory IX.—Peace of S. Germano, 1230—First general Trial of Heretics in Rome—The Senator Anibaldo issues an Edict against Heresy—Persecution of Heretics—The Inquisition.

Gregory IX. spent the winter in Perugia, without any prospect of returning to Rome, beyond that offered by a reconciliation with the Emperor. Before, however, this had been effected, unhoped for circumstances conducted him back to the Lateran. "The cataracts of the heavens" opened and discharged themselves over the "godless" city. The Tiber rose on February 1, 1230; the Leonina and the Field of Mars were flooded; the Bridge of the Senators (*Ponte Rotto*) was swept away, and the inundation

[1] *Nobiles quidem Romani ad Imp. apud Aquinum veniunt ex parte S. P. Q. R., cum quo moram per triduum facientes ad Urbem reversi sunt.* Rich. Sangerm., p. 1016. In the Pope's bull of excommunication of August 1229 the following Romans are excommunicated by name: Egidius de Falumbaria, Nicol. de Arcione, and Petr. Gregorii Pagare *cives rom.* (*Ep. sæc. XIII.*, by Pertz-Rodenberg, i. n. 399).

was followed by famine and pestilence. Chroniclers describe this pestilence as one of the most terrible that Rome ever endured.[1] The Romans who, forgetful of their Pope during his long exile, had robbed the clergy and had harboured heretics, now remembered with superstitious dread that the Holy Father was their territorial ruler. Envoys hastened to Perugia; Peter Frangipane, Chancellor of the city, and the aged and valiant ex-senator Pandulf of the Suburra threw themselves at the feet of the Pope, implored mercy for the people who had been led astray, and begged him to return to the orphaned city. Gregory, arriving on February 24, received with exultant cries by the Romans, and led to the Lateran, may have bestowed a glance of contempt upon a people who for more than a century had been accustomed to drive away their popes, in order to receive them back with songs of rejoicing.[2] When these popes returned from their exile to the "city of blood," it was only by means of gold that they

Gregory IX. returns to Rome, Feb. 1230.

[1] Albericus, *ad A.* 1230: *Romæ ultra 7 millia hom. dicuntur submersa*, which is exaggerated. *Vita Greg.*, p. 578; Rich. Sangerm., p. 1017; Bonincontrius, *Hist. Sic.*, 307. The height which the water reached during inundations was marked on marble tablets. I discovered the oldest of these tablets built into the wall of an arched gateway to the *Banchi di S. Spirito:* HVC TIBER ACCESSIT SET TURBIDVS HINC CITO CESSIT A.D. MCCLXXV. IND. VI. M. NOVENB. DIE V. ECCLA VACANTE.

[2] *Vita Gregorii*, p. 577: *Qui Cancellarium, et Pandulphum de Suburra Proconsules* (note the new title), *et Legatos ad Perusium ad pedes S.P. pro impetranda venia—destinarunt.—In urbem cum gloria et inæstimanda lætitia Populi exultantis intravit.* The chronology in the *Vita* is false.

purchased a brief interval of rest. The biographer of Gregory IX. conscientiously enumerates the many thousands of pounds that this Pope distributed among the Romans whenever they consented to his return.[1]

Gregory found Rome in misery and barbarism, and filled with "the weed" of heresy, a number even of the clergy being heretically inclined. He therefore resolved to issue a severe decree as soon as peace was concluded with the Emperor. After tedious negotiations with Hermann, Grand-master of the Teutonic Order, and under conditions so favourable for the Pope that it was easily perceived how little Frederick had undervalued the power of his adversary, peace was arranged at S. Germano on July 23, 1230. The State of the Church was restored, even some towns of Campania (among them Gaeta) were retained by the Pope for a year as hostages; the freedom of election and the exemption of the clergy were, moreover, not to be interfered with in Sicily.[2]

Peace concluded between the Emperor and Pope at S. Germano, July 23, 1230.

After the Emperor had been released from the ban in the chapel of S. Justa near Ceprano, on August 28, he was escorted by the cardinals to the Pope at Anagni.[3] There, on September 1, the two adversaries greeted one another with courtesy. During the first three days of September they dissembled their hatred, and dined and conversed together in the family palace of the Conti. But

[1] In the time of the Senator Joh. Poli he gave 20,000 pounds. The *Vita* adds: *Sanctius judicans vasa viventia, quam metalla servare.*

[2] See the Acts, *Mon. Germ.*, iv. 269 f.

[3] Gregory congratulated the Emperor on his reconciliation with the Church, Anagni, August 28, 1230: Baumgartner, *Formelbuch*, n. 36.

notwithstanding their professions of friendship, they parted with the conviction that there was not room in Italy for two men such as themselves.

Returning to Rome in November, Gregory sought to gain over the Romans by a series of benefits. He caused the Bridge of the Senators to be restored, the cloacæ to be cleansed ; he procured supplies of grain, distributed money among the people, and built a hospital for the poor in the Lateran. These measures gained him the favour of the masses and facilitated his blow against the heretics, from whom he desired to purify the city. Innocent III.'s war of extermination against the heretics, his orders for their eradication from all cities, appear to have only increased their numbers. Thousands girt their loins with the cord of S. Francis, but many more fell away from the faith. Heretics were numerous in the State of the Church, in Viterbo, in Perugia, in Orvieto.[1] Lombardy was filled with them, the Guelf city of Milan was the seat of their principal church. Pyres blazed in vain. During the exile of the Pope the heretics had collected in Rome itself. Political views easily made common cause with religious views, and among the Roman heretics the Ghibelline sect of the Arnoldists was assuredly more numerous than that of the Poor of Lyons. Furthermore dogmatic heresy was not distinguished from political heresy ; for the Church regarded the attacks upon the freedom and property of the clergy, such as the edicts of the civic magistracy, who strove

[1] Some years later they raised up a pope in Viterbo. *Vita*, p. 581. Gregory caused their houses to be pulled down.

to impose taxes upon them and to render them subject to the civil tribunal, as rank heresy.[1]

Trial of heretics in Rome.

It was the first time that a trial for heresy on a large scale was held in Rome, and that pyres blazed publicly. The inquisitors erected their tribunal in front of the doors of S. Maria Maggiore; the cardinals, the Senator, and the judges took their places on the tribune, and the populace, open-mouthed, surrounded this terrible theatre, in which unfortunate creatures of both sexes and of every class received their sentence. Many priests, convicted of heresy, were, after a repentant confession, unfrocked and condemned to penance in their convents. Other heretics were burnt on piles of faggots, probably on the piazza of the Church itself.[2] This hideous spectacle, a reflection of the Albigensian war, following on the inundation of the Tiber and the pestilence, must have wakened profound agitation in Rome. If a chronicler of the fourteenth century speaks truth, the Romans even beheld the unexampled and appalling sight of a Senator executed for heresy. But the statement is a fiction.[3] On his

[1] In October 1220 Honorius wrote to Frederick that heresy was getting the upper hand in Lombardy, *quod apparet ex iniquis statutis, que plereque illius provincie civitates contra dei eccl. ediderunt contra hereticos statuas—aliquid dignum regia majestate, ipsaque statuta—contra libert. ecclesiast. attempta, generaliter casses* (Theiner, i. n. 91). On this followed the imperial edicts of the coronation.

[2] *Vita Gregorii: multos presbyteros, clericos et utriusq. sexus laicos—damnavit.* Rich. a S. Germ.: *eod. mense* (*Febr.*) *nonnulli Patarenor. in Urbe inventi sunt: quor. alii sunt igne cremati.*

[3] Bonincontrius, *Hist. Sicul.*, p. 307: *Romani Anibaldi supplicio indignati a Pontifice rebellarunt.* This does not agree with the edicts of the same Senator. The accounts of this chronicler must be

Anibaldo Anibaldi, Senator, 1230.

return Gregory must have appointed a new Senator, and this was Anibaldo Anibaldi, a Roman of senatorial family, which precisely at this time rose to prominence, and which founded a powerful and richly dowered house in Latium. The celebrated name of Hannibal reappears in the Middle Ages in a noble family, which for centuries gave birth to senators, generals, and cardinals, but never to a pope. The Anibaldi were related to the Conti and the house of Ceccano, were like them of German origin, and were settled on the Campagna and in the Latin Mountains, where the Field of Hannibal above Rocca di Papa still recalls the once influential family.[1] If in 1231 this Senator Anibaldo issued the edict against heresy, which is still preserved, the

accepted with caution. The same confusion prevails in the *Vita* of Gregory, which, moreover, mentions the Senator's presence at the trial of heretics, but does not give his name.

[1] In 1227 Anibaldo was seneschal of the Pope. Gregory wrote to the commune of Siena, which had burnt Grosseto, that at the request of the (unfortunately anonymous) Senator he granted it absolution: *quia nob. vir Senator nob. viros Cancellarium urbis et Anibaldum Senescalcum nostr. propter hoc — ad nostr. presentiam destinavit* (*Archives of Siena*, n. 210). The same man is designated by the Pope as *A(nibaldus) senator urbis and senescalcus noster* in a brief to the rectors of the city, Rieti, July 23, 1231 (Ep., *sæc.* xiii., *Mon. Germ.*, i. n. 446). The family was German. In vol. ii. p. 345, note, I mentioned a Count Anualdus (Anwald). This name is the origin of the Roman Anibaldi. There were several families in Rome whose names ended in bald: Tebaldi, Sinibaldi, Astaldi or Astalli (from Austuald, Ostwald). A *dux* Austoald in 916 (vol. iii. p. 269, and note). The history of the Anibaldi begins with Peter, son of the sister of Innocent III. But an Anibaldo Anibaldi, who owned Rocca Priora, Monte Porzio, and Molaria, appears in the *Chron. Subl.* as early as 1090. Nerini, p. 527. The Anibaldi believed in their descent from Hannibal: Petrarca, *Carm.*, ii. ep. 12.

measure had assuredly been made one of the conditions of the Pope's return. It was thereby established that, on his entrance into office, every Senator should pronounce the ban against the heretics in the city and their adherents, should seize all heretics pointed out by the Inquisition, and should execute them within eight days after sentence had been pronounced. The property of heretics was to be divided between the informers and the Senator, and was to be devoted to the repairs of the city walls. The houses which had sheltered them were to be pulled down. Persons who had concealed heretics were sentenced to fines in money or to corporal punishment, and to the loss of all civic rights. Every Senator was to swear to this edict, and was not to be regarded as installed in his office until he had taken the oath. Should he act contrary to his oath, he was sentenced to the payment of two hundred marks and was pronounced incapable of holding any public office.[1] The punishment incurred was to be inflicted by the college of judges called after the church of S. Martina on the Capitol.[2]

The Senator Anibaldo's edict against heresy, 1231.

The edict whetted the zeal of the informer by the prospect of acquiring property; and we may judge how busy avarice and private enmity were in the discovery of heretics. The Pope drew the civic commune into the interests of the Inquisition and

[1] The edict, which has been frequently printed, was first published by Raynald, *ad ann.* 1231, n. xvi., but inaccurately. Vitale, p. 90.

[2] The civic college of judges appears to have made use of a hall on the site of the ancient Senate house as its court.

obliged the Senator to lend it the secular arm. He was the legal executor of the sentence against heretics, as other podestàs were also in other cities. If this transference to him of the former penal judicature of the prefect increased his civil power, it nevertheless degraded him into acting as the servant of the spiritual tribunal; the solemn oath which he took to punish heretics was binding on himself, and over his own head hovered the terrible sentence of the Inquisition, which could accuse him of infraction of the duties of his office and consequently of heresy. The most important attribute of the senatorial office was consequently the execution of sentence upon heretics, and it is significant of the spirit of the age, that the duty of persecuting heretics was accepted as the first fundamental article in the statutes of Rome and of other cities in the State of the Church.[1]

The Inquisition in Rome.

For the rest the senatorial decree only brought the edict issued on the imperial coronation into force in Rome, where it had hitherto probably been resisted. For the Inquisition now became another instrument in the hands of the Pope for the subjugation of the people. Henceforward there were inquisitors in Rome, men who in the beginning were appointed from the Franciscan order. When con-

[1] The manuscript of the statutes, of the year 1469, in the Capitol Archives, says in the introduction: *Statuta quoque D. Anibaldi dudum Senatoris urbis approbantes statuimus quod heretici credentes et fautores eorum sint perpetuo diffidati et eorum bona publicata.* So also in the printed statutes of 1580, where immediately after the profession of faith follows the "*Diffidatio*" of the heretics; then *de Senatore eligendo.*

demning heretics the inquisitor stood on the steps of the Capitol and read the sentence in presence of the Senator, of his judges and of several deputies or witnesses from among the clergy of the city. He then left the execution of the sentence to the Senator under threat of excommunication in case of delay or neglect.[1]

We shrink back appalled from a time of which Gregory IX.'s edicts were the expression, an age which made the detection of heresy the first duty of the citizen, and when public or private conversation on the articles of religion was regarded as a crime punishable with excommunication. In these rude times of new tortures and a new fanaticism, when religious fervour found amends for the fall of Jerusalem and a waning zeal for the Crusade in the persecution of heretics, and when, after the reign of Innocent III., religious intolerance reduced Christianity to the standard of the fanatical laws of

[1] The oldest document of the Roman Inquisition known to me is dated January 22, 1266 (*Giorn. Arcad.*, t. 137, 261). Benvenuto of Orvieto, *Ordinis fratr. Minor.*, *Inquisitor heretice pravitatis*, condemns the Roman Petri Riccardi de Blancis for having given shelter to heretics. His family to the third degree is declared infamous. The bones of his wife and father are ordered to be burnt. He himself is sentenced to wear a red cross 1½ foot long and 2 palms wide on the breast as a mark of disgrace. The vicar of the Senator is entrusted with the execution of the sentence *sub pena excomm. Lecta et publ. fuit hec sententia per dict. fratr. Beneventum Inquisitorem in Urbe, in scalis Capitolii.* The Senator was Charles of Anjou. In 1301 Symon de Tarquinio was *ord. minor. Inquisitor her. et scism. pravitatis in Roma et Romana prov.* (*Gaetani Archives*, xxxvii. n. 31.) The Dominicans consequently had not yet obtained exclusive possession of the Inquisition.

Judaism, princes and heads of republics themselves emulated the clergy.[1] Kings laden with crimes now rarely bestowed property on the Church; they found it more convenient for the salvation of their souls to burn heretics, whose property they confiscated. To the minds of some monarchs the glare of the blazing faggots seemed like the aureole of piety, while others, through fear or calculation, endeavoured to prove their orthodoxy by the most cruel persecution of heretics. Even Frederick II., whose culture and liberal opinions raised him so far above the level of his century that he was afterwards called a predecessor of Luther, issued in 1220 and 1232 laws so severe that they differed in no degree from the papal edicts. "The heretics"—thus he decreed—"wish to sever the undivided coat of our Lord; we command that they be delivered to death by fire in the eyes of the people."[2] He issued these decrees on every occasion when he made peace with the Pope, or whenever he required his aid; and such politically motived persecutions as these redound more to his disgrace than any blind or sincere religious fanaticism would have done. His laws against heresy form the harshest contrast to the wise

The Emperor's edicts against heresy.

[1] On the Palace of Justice at Milan we may still read an inscription by the Podestà Olradus of the year 1223: *Qui solium struxit, catharos, ut debuit, uxit.* The popes, from political motives, dealt leniently with Lombardy, though it swarmed with heretics.

[2] *Inconsutilem tunicam Dei nostri dissuere conantur hæretici. . . . Constit. Regni Siciliæ ap. Melfiam editæ*, i. 63. When Frederick punished Messina in 1233 he caused several citizens to be executed on pretext of heresy; the Pope complained of his conduct. *Hist. Dipl.*, iv. 444.

legislation—a legislation far in advance of his age—which he gave to his kingdom of Sicily in the August of the same year (1231).[1]

3. Fresh Disturbances in Rome—John of Poli, Senator, 1232—The Romans wish to remove the Campagna from Papal dominion — The Emperor effects Peace between Rome and the Pope — *Vitorchiano fedele* — Another Rebellion of the Romans—Their Political Programme —They rise in 1234, in a serious attempt to obtain their Freedom.

The great trial of heretics made so little impression on the Romans, that no later than June 1 (1231) they forced Gregory IX. to return to Rieti, where he remained until the summer of 1232. For disturbances caused by the war with Viterbo broke out in the city. Viterbo was the Veii of the Middle Ages to the Romans; they hated the town with a hatred bordering on frenzy; they determined to conquer it entirely and to make it a domain of Rome. With the consent of the Pope, the Viterbese placed themselves under the protection of the Emperor, who sent Reinald of Aquaviva to their aid. The Romans immediately revenged themselves by imposing taxes on the churches, and with un-

[1] His letter to Gregory, Taranto, February 28, 1231. Frederick himself sanctioned the introduction of the Inquisition into Germany, where Conrad of Marburg exerted himself in its favour. Conrad, however, was murdered. *Albericus Trium Fontium* (Leibnitz, *Access. Histor.*, ii. 544).

abated fury continued their warlike expeditions against Viterbo, even during the year 1232, when John of Poli was Senator. Although related to Gregory IX., the son of Richard Conti had espoused Frederick's side, and it is scarcely probable that he had been elected with the Pope's consent. He called himself at this time Count of Alba, having been invested with this Marsian territory by Frederick.[1]

John of Poli, Senator, 1232.

The attempt made by the Romans to render Latium subject to the Capitol deserves more attention. A new spirit animated the Roman people. As in ancient times, in the days of Camillus and Coriolanus, they undertook conquering expeditions against Tuscany and Latium. The Roman insignia, the ancient initials S.P.Q.R. on a red and gold banner, and the Roman national army, formed of the citizens and the vassals of the Campagna under the command of senators, were seen once more in the field.[2] In the summer of 1232 the Romans advanced to Montefortino in Volscian territory; the Pope, who had gone to Anagni in August, was even menaced from beneath the walls of his ancestral city. Gregory sent three cardinals with large sums

Hostile expedition of the Romans against Latium.

[1] A deed of July 3, 1233, in which Romans acknowledge the receipt of compensation for the injuries inflicted on them by the Viterbese, says: *vocamus quietos D. Gregorium S. Pont. et Eccl. Rom. et D. Joannem Comitem Albæ et Alme Urbis Senatorem. Cod. Vat.*, 6223, fol. 92.

[2] The colours of the city of Rome are still red and gold. They are of great antiquity. They were also the colours of the Church; and the papal leaden balls were always affixed by threads of red and gold silk. Not until the beginning of the nineteenth century did the popes adopt white and gold as the colours of the Church.

of money to the enemy's camp, but they still continued their hostile interference with his enterprises in the Campagna.[1] For Gregory IX. was as active as Innocent III. in increasing the patrimonies of the Church. He took communes under his protection, and demanded the oath of fealty from their podestàs.[2] He paid the debts of free communes, made them in return vassals of the Church and acquired the right of planting fortresses within the circuit of their walls.[3] He relieved barons who were in debt, and thus obtained possession of their fortresses, which they willingly received back as fiefs, in order that they might not fall into possession of the city of Rome. The like happened in Latium, where he bought two fortresses, Serrone and Paliano, which belonged in part to the Colonna, and then fortified them as papal strongholds. The Roman civic commune, which claimed jurisdiction in the Campagna,

[1] Rich. Sangerm., p. 1029: Montefortino (the ancient Artena) probably already belonged to the Conti. Nibby, *Analisi*. Gregory had spent the spring and summer at Terni and Rieti. On May 12, 1232, while he was at Terni, he took this town under his protection. The original bull is in the Archives of Rieti, which are very rich, but unfortunately in utter disorder.

[2] The formula of oath taken by the podestàs of several cities is given in Cencius, fol. 160. I always quote from the Florentine *Cod. Riccardianus*.

[3] He paid 1300 pounds due to Narni for Otricoli, on which all the possessions of Otricoli were pronounced the property of the Church, and the Pope had permission *palatium turrem atque munitionem facere ad opus Rom. Eccl.* Deed of July 13, 1234 (Cencius, fol. 184). The usual way in which the Church obtained possession of a place was by payment of its debts. Thus Civita Vecchia for the same reason ceded to the Church the *plenum dominium intus et extra* on December 9, 1224. *Ibid.*, fol. 139.

They harass the Pope in Anagni.

forbade the Pope to continue these proceedings; they even threatened to destroy Anagni, but Gregory continued the building of these fortresses even during the winter, and made Serrone, Paliano, and Fumone castellanies of the Church.[1]

The Romans finally returned to the city, while Gregory remained at Anagni. He sought the intercession of the Emperor, in order to arrange a peace with Viterbo, and to effect his own reconciliation with the Romans. Frederick could not render any effective aid, since the revolution in Messina demanded his presence in Sicily. The Romans, however, obeyed his exhortations, and the Senator John of Poli came to Anagni in March 1233 to invite the Pope to return. Timid cardinals tried to dissuade him from venturing into "the city of the roaring beasts," but Gregory came and was received with respect on March 21.[2] The populace offered a reconciliation in exchange for money, and he made his peace with the city without the knowledge of

Gregory returns to Rome, 1233.

[1] *Vita* of Gregory IX., p. 579. *Instrum. refutationis de castro Fumone*, in 1233, Cencius, fol. 155. The deed of sale of Paliano and Serrone of December 21, 1232, *ibid.*, fol. 160. *Ego Oddo de Columpna domin. Olibani* (Olevano)—*vendo*—*tibi*—*ad opus et nomen D. Gregorii*—*et Rom. Eccl. in perpet. totam et integr. partem meam Rocce et Castri Paliani et R. ac C. Serronis cum omni jure et jurisdict. et actione*, &c., for 400 pounds of senatorial denarii. The family received back as *feudum* the property sold, *et exinde ipsius dni. Pape et Rom. Eccl. vassalli simus perpetuo et fideles, et eis prestemus homagium personale.* Agreements concerning estates in Paliano and Serrone follow. A statute of Gregory allotted all the payments made by Serrone to the papal Curia. Cencius, fol. 182.

[2] Rich. Sangerm., p. 1031. On April 29, 1223, the Pope was back at the Lateran.

the Emperor, who had intervened in the affairs of Viterbo and Rome, and who afterwards reproached him on this account, as with a breach of faith.[1] A treaty was also made with Viterbo in April; the city of Rome obtained the recognition of her supremacy; and she also remained in possession of Vitorchiano. This fortress was henceforth regarded as a domain of the city, received the honourable title of "the faithful," and the right of filling the office of the Capitoline beadles, who were henceforward called "Fideli."[2]

Vitorchiano a domain land of Rome.

A demon, says the biographer of Gregory IX., was happily banished from Rome, but seven others

[1] Celebrated letter of Frederick to Richard of Cornwall, Treviso, April 20, 1239; in Matthew Paris, *ad A.* 1239, and Peter de Vineis, i. 21.

[2] Bussi, *ad A.* 1233, p. 122. Two marble tables may be seen in the Palazzo dei Conservatori; one bears the representation of a fortress with the inscription *Vitorclana Fidele Del Popolo Romano;* the other the likeness of a vestment with the inscription *Vetustum Caputium in Vestibus Fidelium Capitolii Ne Mutanto VII. Id. Martii MDCXIII.* The original of the *Statuta et Leges Municipales Terræ Viturclani auctor. Inclyti S.P.Q.R. ædita et reformata, Romæ,* 1614, was preserved in the Capitol. Vitorchiano, Barbarano, and Cori remained until recent times domain lands of the city of Rome; their podestà was always *ex nobilib. et civib. Alme Urbis.* On July 3, 1233, the Pope and the Senator compensated Romans for the losses suffered in the war with Viterbo with 2500 pounds *Provins.* Witnesses: *Dom. Anibaldus, Petrus Joannis Ilperini, Petrus Manecti, Trasmundus, Matheus Scriniarius, Petrus Bulgaminus, Bobo Joannis Bobonis . . .* (*Cod. Vat.*, 6223, fol. 92; and Murat., *Antiq. Ital.*, i. 685; iii. 231). On July 20, 1233, *Johes Poli Comes Albe, Dei gr. alme Urb. ill. senator . . . decreto et auctoritate Sacri Senat. et P. R.* drew up the decree of reconciliation with the commune of Viterbo (from the Margherita Codex of the Archives of Viterbo, in Pinzi, i. 322).

entered. No later than 1234 the Romans rose in an actual struggle of despair against the civil power of the Pope. They would perhaps have been happier, but scarcely more deserving of respect, had they abandoned their undoubted claims. At this period, however, when every city was a state, the relation of Rome to the Pope could not be apprehended in the same way as in later centuries. The Romans were constantly struggling to obtain the freedom from episcopal power which other cities had long since acquired. They saw these cities flourishing in two great leagues and ruling over what had formerly been counties. If Viterbo gloried in a great number of fortresses, which paid their tribute and received their laws in her town hall, we can understand that Rome could not endure her own civic impotence.[1] The perpetual war with Viterbo was merely the symbol of the efforts of the Romans to subjugate Tuscany. Their relations to the empire had now completely changed. Since the imperial rights in Rome had been ceded to the popes, and since the popes had acquired the right to bestow the Roman crown, the point of dispute was whether or not imperial election still belonged to the Roman republic. This privilege, which even in Barbarossa's time the Romans had demanded, weapon in hand, was carried away in the current of the new papal power. The Romans only made war with the Papacy as with the supreme territorial power; their principal object was to erect

[1] The MS. *Chronicle of Viterbo* by Nicola della Tuccia (*ad A.* 1268) reckons the number of fortresses at 150; unquestionably an exaggerated estimate.

within the limits of the ancient duchy a powerful free state such as Milan, Florence, or Pisa, whose example encouraged while it shamed them. In the treaties of the Emperor which ratified Innocent's State of the Church, this duchy appears for the first time as united under the formula, "all the country from Radicofani to Ceprano," and, as the ancient foundation of the new State of the Church, opens the list of the papal provinces. The Church could not trace the possession of this territory, where it had owned provinces from of old, from Frankish diplomas, but from actual facts which are lost in the obscurity of history. Within her administration she embraced three provinces, the patrimony of S. Peter's (Roman Tuscany), the Sabina, the Campagna, and the Maritima, although she was not actually mistress of all the cities within this district. Only a few of them acknowledged her feudal supremacy and, after having transferred the "plenum dominium" to the Pope, received magistrates at his hands; others only recognised his authority as protector.[1]

The city of Rome claims dominion over the Roman duchy.

The city of Rome now pronounced all these ecclesiastical provinces to be within the district of the city.[2] She made good her claims on every

[1] Such as Civita Vecchia, A. 1224. After 1291, this town paid 50 *libræ Paparinor.* of yearly tribute (Frangipane, *Stor. di Civitav.*). If a pound of this kind corresponded to 12½ pauls, the sum amounted to less than 100 thalers. In the time of Innocent III. it would appear that the average rent of a fortress in the Sabina was 6 pounds *provins.* Theiner, i. 30.

[2] A document of May 3, 1261, executed on the Capitol, says: *præsentib. ambasciatorib. civitatum Peruscii, Urbis Veteris, Spoleti, Nargne, Reate, et Anagnie, aliarumque civitatum atque comitatum districtus urbis.* (*Giorn. Arcad.*, t. 137, 201.)

occasion when energetic men stood at the head of her commune and were opposed by feeble popes. She then sent her judges to the provincial towns, imposed ground rents upon them, seized the monopoly of salt, obliged them to yield military service and to send their representatives to the public games.[1] The claims of the Capitol were disputed not only by the Pope but also by the free cities, such as Tivoli, Velletri, Terracina, and Anagni in the Campagna, and by the hereditary landed nobility, who knew quite as well as the Pope how to buy the dominion of the cities.[2] The barons bought this dominion from the communes themselves, or became milites of the Pope or of the ecclesiastical corporations for a yearly rent, which was often insignificant. At this period consequently the entire country from Radicofani to Ceprano was split into several little and frequently hostile states, and within the limits of a short journey a traveller could traverse a district governed here by the papal Camera, here by the city of Rome, here by a free republic, a baron or a Roman convent, while in many cases it happened that all these various rulers were endowed with sovereign rights.

In 1234 the city of Rome, at an unfavourable time, made the attempt to throw off papal dominion

[1] After the thirteenth century this was a sign of subjection.

[2] The formula customary in the thirteenth century for the cession of places to a baron ran: *N. . . . tradidit in perpet. magnifico viro . . . totum Castrum—cum toto suo territorio, pertinentiis et districtu, et cum Roccha, fortellitia, domibus, terris cultis et incultis, Vassallis et juribus vassalor., Dominio, Jurisdictione, Causar. cognitione, punitione maleficior.. sanguinis et forfacture, mero et mixto imperio. . . .*

and to form a free state within her boundaries. Had she succeeded, she would have extended her territory, nearly to the limits of what she had possessed shortly before the Punic war. It is singular that in this most serious revolt the Romans should have revived an ancient custom, in erecting boundary stones (*termini*), furnished with the inscription *S.P.Q.R.*, which denoted the civic jurisdiction.[1]

They demanded from the Pope the right of electing the Senate, the right of coining money, of imposing various taxes, and the established tribute of 5000 pounds. They abolished the jurisdiction and the immunity of the clergy, as did many, even tiny, republics at this time. They required that the Pope should never pronounce sentence of excommunication on a Roman citizen, alleging that the illustrious city possessed the privilege of exemption from ecclesiastical punishments. Although the Romans may have taken no offence at the excommunication of their emperors, nevertheless in their civic pride they considered the papal censure as entirely inapplicable to themselves, as the scourging of a Roman citizen had been considered in antiquity.[2]

[1] *Præterea comitatum suum* (*quod inauditum est*) — *metis novis et amplis* — *voluerunt sibi appropriare, et* — *intitulare novis suprascriptionibus.* Math. Paris, *ad A.* 1234, p. 279, calls *metæ* what the Romans called *termini. Nec terminos in patrimonio b. Petri—poni faciatis*, writes the Pope in the instrument of peace of the year 1235. *Novi comitatus abusum*, says also the *Vita* of Gregory IX., p. 579.

[2] *Usurpant sibi cives memorati, ex antiquo jure, quod Rom. Pont. non potest aliquem ex civib. excommunicare, vel urbem pro quolib. excessu supponere interdicto.* Math. Paris, p. 279.

4. Lucas Savelli, Senator, 1234—The Romans declare the Patrimony of S. Peter the Property of the City—The Pope invokes the aid of Christendom against them—The Emperor comes to his assistance—Defeat of the Romans near Viterbo—Angelo Malabranca, Senator, 1235—Rome submits by Treaty to the Papal Government.

Lucas Savelli, Senator, 1234.

Lucas Savelli, a man of great power, nephew of Honorius III. and ancestor of a celebrated family, no sooner became Senator (in 1234) than he issued an edict pronouncing Tuscany and the Campagna the property of the Roman people.[1] He sent judges of the Senate into both territories to receive the oath of homage, yielded either voluntarily or under compulsion, from the cities. Roman soldiers occupied Montalto in the Maritima, where a huge fortress was erected as the symbol of Roman supremacy. Corneto itself was obliged to do homage to the Senate. The Pope with all the cardinals fled once more to Rieti at the end of May.[2] What would have been the fate of the Papacy, had the city succeeded in becoming a civic power such as Milan or Pisa? To prevent her attaining this position was the task of the Church, and among all the cares

Drives the Pope from Rome.

[1] The Senators issued edicts like the ancient prætors. *Per ea tempora Pop. Rom. antiquo more usus est. Nam cum Senatus legem rogaret, Populus sciverat. Ex quo factum est, ut civitates finitimæ Romanis parerent:* Bonincontrius, p. 308.

[2] On May 20 he was still in the Lateran (Savioli, *Annales Bolog.*, III. ii. n. 600); on June 26 at Rieti (Raynald, n. 49).

of the Pope the subjugation of the Capitol was not the least. The flight of Gregory, the excommunication which he thundered against the Senator and the Communal Council, roused the Romans to such fury that they sacked the Lateran palace and the houses of the cardinals.[1] They raised an army and vindictively marched against Viterbo. The Pope meanwhile was not left without allies; many barons and cities of Latium, such as Anagni, Segni, and especially Velletri, remained faithful to him, and, jealous for their own liberty, opposed a strenuous resistance to the Romans. Gregory fortified Radicofani and Montefiascone in Tuscany, while Viterbo, reduced to despair, was his surest support.[2]

[1] *Reg.* of Gregory IX., viii. n. 167; Math. Paris, p. 280. *Excommunicamus—Lucam dictum Senatorem, Parentium et Joannem de Cinthio vestararios et consiliarios Urbis et justitiarios, quor. consilio —a Montalto obsides recepti sunt—et turris edificata—et juramenta de novo exacta—in prejudic. E. R. tam in Campania et Maritima quam in Thuscia* (Papencordt-Höfler, p. 296; Pertz-Rodenberg, i. n. 591). He excommunicated *Paulum Petri Judicis, Petrum de Stephano Sanguineum, et Pandulfum Joannis Crassi.* The family of Sanguigni here appears for the first time. One of their towers still stands in the Field of Mars. P. Adinolfi, *La torre de' Sanguigni* (Rome, 1863).

[2] Gregory absolved Viterbo from the oath of vassalage it had sworn to the Romans, Perugia, March 5, 1235. Bussi, *Append.*, p. 404. Likewise, on March 18, Toscanella, Cornuto, Sutri, Civita-Castellana, Narni, Montalto, Amalia, Orta, Nepi, and the Sabina: Pertz-Rodenberg, n. 632. The Pope found refuge in Perugia, but the city would not lend him troops against the *Alma mater Roma.—Faliscorum mons:* from the "mountain of the Falisci," was derived in the vulgar tongue the "mountain of the flasks" (*Monte Fiascone*). Gregory ratified the privileges granted by earlier popes to the

The popes invariably summoned foreign aid to quell their rebellious country, and never has Christendom refused them money or soldiers. Gregory IX. implored the Catholic world to lend him weapons against the defiant city. He wrote to the vassal kings of Portugal and Aragon, to the Count of Roussillon, to the Duke of Austria, to the bishops of Germany, Spain, and France.[1] Even the Emperor was prepared to help. The revolt of his son Henry in Germany and his treacherous alliance with the Lombards would have proved fatal to Frederick had Gregory favoured Henry's cause. Frederick consequently hastened unasked with his second son Conrad to Rieti, to offer his troops to the Pope against the Roman populace.[2] The weaker was sacrificed for the sake of the stronger. Gregory and Frederick had need of one another; necessity made them unwilling allies and placed the city of Rome at war at the same time with both Emperor and Pope.

The Emperor in alliance with the Pope against Rome.

commune of Velletri, on January 3, 1235, Perugia: Borgia, p. 268; Pertz-Rodenberg, n. 619. Velletri rendered the duty of vassalage to the Curia in return: *unius comestionis pabulum, parlamentum etiam, necnon hostem per Maritimam et Campaniam facietis.*

[1] *Annal. Erphord.* (*Mon. Germ.*, xvi.) *A.D.* 1235 *dom. papa in Alemannia nunciis ab omnibus episcopis — milites ad subsidium ad Romanos impugnandos postulavit.* For the Pope's efforts to obtain aid, see Raynald, A. 1234, n. 7.

[2] Godefrid. Monach., *ad A.* 1234; Rich. Sangerm., p. 1034; Conrad Ursperg., p. 357. The *Vita: Reate concitus, nec invitatus, advenit.* On July 3 the Pope from Rieti exhorted the Lombards to allow the German troops, who were coming to the defence of the Church, a passage through their territories. *Hist. Dipl.*, iv. 472.

The papal troops were led by the Cardinal legate Rainer Capocci, a Viterbese, a man of restless activity and military talent, whom the Pope had appointed rector of the patrimony in Tuscany. Rainer heads the not insignificant series of cardinals, who won themselves glory as generals of the Church. After having effected a junction with Frederick's troops, he marched to Viterbo, to strengthen the town and to drive the Romans out of Castel Rispampano. This fortress was stoutly defended by the Romans, while the impatient priests reproached the Emperor, that instead of raising his eagle in serious war against the Romans, he had been flying his falcons in the Tuscan Campagna. They shouted of treason when he returned to his kingdom in September.[1] He had, however, left troops under the command of Conrad of Hohenlohe, Count of Romaniola, with the cardinal in Viterbo. Many German knights remained in the service of the Pope. Crusaders lent their talents and their swords to the Church against Rome; even Englishmen and Frenchmen, believers and adventurers, placed themselves under the banner of the cardinal. Raymond of Toulouse hoped, by fighting against the Romans, to discharge the vow which had been imposed upon him of making a Crusade, and the wealthy Bishop Peter of Winchester, exiled from the English court, offered his welcome services.[2]

The Romans defend Rispampano.

Cardinal Rainer Capocci,

[1] *Vita*, p. 580. In September he issued from the neighbourhood of Montefiascone a document for Raymond of Toulouse, in which the Prefect of Rome appears as a witness. Böhmer-Ficker, 2057.

[2] Math. Paris, p. 280. From the time of Innocent III. the popes

besieged in Viterbo by the Romans.

On the Emperor's departure the Romans valiantly advanced to the attack of Viterbo. Seldom had they been inspired by such military ardour, or been under arms in such numbers. An assault of the Germans and the citizens of Viterbo developed into a bloody battle which was lost by the Romans. Many men of noble family, and not a few Germans, remained on the field.[1] Since the ill-fated day of Monte Porzio, the Romans had not suffered any such severe loss in open battle; and now, as then, they saved themselves behind their walls. The victors followed them, and the result of the battle was the recovery of the Sabina and of Tuscany by the Pope. The thankless priests were now forced to acknowledge that so decisive a victory was solely due to Frederick's aid.

Defeat of the Romans before Viterbo, 1234.

The Romans, it is true, continued the war, pronounced Cardinal Rainer under the ban, and proclaimed the Pope banished from Rome for life, unless he gave compensation for their losses. They even once more attained some success in the field; but their strength was consumed; their finances, in spite of the taxes levied on the churches, were exhausted. When, in the spring of 1235, Lucas Savelli retired from office and Angelo Malabranca succeeded him as Senator, three cardinal legates prevailed on Rome to make peace. The city did not attain the object of her

Angelo Malabranca, Senator, 1235.

employed foreigners in their most important offices. Bishop Milo of Beauvais had been made Rector of Spoleto and the March by Gregory IX. in 1231.

[1] According to Math. Paris the Romans set forth on October 8. He exaggerates their number to 100,000; that of the slain on both sides to 30,000. On this point see Pinzi, i. 336 f.

heroic struggle, but, about the middle of May 1235, again recognised the supremacy of the Pope.

The document containing the treaty of peace, which reveals the form and nature of the Roman republic in an attractive manner, runs in substance as follows :—

He concludes peace with the Pope, April 1235.

"We, Angelo Malabranca, by God's grace Grand Senator of the illustrious city, empowered by the exalted Senate, and in virtue of the mandate and acclamation of the renowned Roman people, who are assembled to the sound of bells and trumpets on the Capitol, and acting on the proposal of the venerable Cardinals Romanus, Bishop of Portus and S. Rufina, John Colonna of S. Prassede, and Stephen of S. Maria in Trastevere, with reference to the quarrel between the Holy Roman Church, the Holy Father, and the Senate and people of Rome, promise in the name of the Senate and people : That according to the mandate of the Pope we will give satisfaction for the tower and the hostages of Montalto, for the oath of homage demanded from the Senator Luca Savelli and the boundary stones erected in the States of the Church. Also for the judges who demanded this homage in the Sabina and in Tuscany, and who occupied the estates of the Church ; for the sentence of outlawry passed on Cardinal Rainer of S. Maria in Cosmedin and on the notary Bartholomew ; for the sack of the sacred palace of the Lateran and the houses of some cardinals ; for the indemnity for damages exacted from the bishoprics of Ostia, Tusculum, Praeneste and other estates of the Church ; and for the statute which decreed that the Pope

should not return to the city, nor that we should make peace with him until he had repaid the loan of five thousand pounds lent him, and registered by deed at Rocca di Papa, and had made good to the Romans all their losses. Empowered by a faculty granted by the Senate and people, we pronounce these sentences of outlawry and these decrees null and void.

"And to remove every cause of dispute between us, the Church and the Pope (whom we honour as pious sons out of reverence to Christ, of whom he is the representative on earth, and to the Prince of the Apostles, whose successor he is), and especially because it is demanded by the fame of this noble and illustrious city, we command as follows: That no ecclesiastical person within or without Rome, neither the households of the Pope nor those of the cardinals, shall be brought before the secular tribunal, or shall be constrained by the destruction of their houses or otherwise molested. That, however, which is said with regard to the households of the Pope and the cardinals shall not hold good with reference to the Roman citizens of lay condition who have houses and servants in the city, although they be or call themselves members of the household. No priest, no member of an order, or layman whatsoever, while going to the apostolic seat or to S. Peter's, or remaining there, or returning thence, shall be brought before the secular judge; on the contrary, he must be protected by the Senator and the Senate. No tax shall be levied on churches, clergy, or members of orders. We give perpetual peace to the Emperor

and to his vassals, to the people of Anagni, Segni, Velletri, Viterbo, the Campagna, Maritima, and Sabina, to Count William (of Tuscany), to all other counts of the Patrimony, and to all friends of the Church. We command, and, by this present decree, ratify, that henceforward no Senator, be it one or several, shall act contrary to this our charter. He who acts contrary thereto shall incur the severest anger and hatred of the Senate, and shall moreover be liable to pay one hundred pounds of gold towards the restoration of the city walls, after payment of which fine this privilegium shall none the less continue in full force."[1]

This peace thus ended one of the fiercest wars that the republic of Rome ever waged against the papal power. The republic did not lose its civic autonomy, but was thrust back into the limits assigned it by Innocent III. It was found impossible to render the clergy subject to civil law, or the civic district to the jurisdiction of the Capitol. Owing to the aid of

[1] *Nos Angelus Malabranca dei gr. Almæ Urbis ill. Senator, decreto et auctor. Sacri Senatus, mandato quoque, et instanti acclamatione incliti Pop. Rom. ad sonum Campanæ, et buccinar. publice, et plenissime in Capitolio congregati . . . act. per man. Romani scribe Senatus precepto et mandatis Angeli Malabrancæ Senatoris et Pop. Romani publice in Capitolio A.* 1235 *Ind. VIII. medio Aprilis die XII.* Raynald, *ad A.* 1235, n. 4, and the authors concerning the Senate. The document is given more completely in Höfler's extracts in Papencordt, and, with the assistance of these last, in Pertz-Rodenberg, i. n. 636; also in Panvinius's MS. *History of the House of Savelli.* The officials of the Senate swore to the peace on different days. Laurentius Johannis Balli, *Senescalcus Senatus*, swore on May 16, likewise the Senator. The formulæ of the oaths of the individual officials of the Senate were drawn up together in one instrument by Matthæus Petri Judicis, Scriniar of the Church, between May 16 and 28.

The Pope victorious over Rome

the Emperor, the temporal dominion of the Church was held erect, and unhappy Rome remained as before, a sacrifice to the greatness of the Papacy.[1]

[1] On September 15, 1235, the Senator Malabranca issued an edict for the protection of the Peregrini and Romipetæ, declaring that they should always remain subject to the forum of the Canons of S. Peter's (Vitale, p. 98). Gregory now protected Viterbo against the Romans, who demanded *vassallagium* from this city; he merely conceded *fidelitas*. Bull to the Viterbese, July 22, 1236, Assisi, *Giornale Arcadico*, t. 137, 203.

CHAPTER V.

1. Frederick II. in Germany and Italy—He resolves on War with the Lombard League—The Communes and the Pope—League of Umbrian and Tuscan Cities—Views of the Pope concerning his right over Italy, and his Claim to Universal Supremacy—The Proconsular Title among the Romans—Peter Frangipane—John Poli and John Cinthii, Senators—Return of the Pope, 1237—Battle of Cortenuova—The Carroccio of Milan in Rome—John de Judice, Senator.

Gregory IX. had already spent a year in exile in Tuscany, and in spite of the peace he remained two more years in banishment. It would have been impossible for him to have enjoyed a moment's repose in Rome. Elements of hatred and strife were sufficiently abundant, and were fanned by Frederick in order to weaken the Pope's relation to the Lombard league. The Emperor had been summoned to Germany in the summer of 1235 by the revolt of King Henry. Here his misguided son surrendered himself a prisoner; and here, on July 15, Frederick married his third wife, Isabella of England, and thereby allied himself with the power which had been the support of the Guelfs. When after a year's sojourn in Germany he had successfully set in order

Gregory IX. remains in exile.

the affairs of the country, he assembled his army at Lechfeld, near Augsburg, in June 1236, and returned through the Tyrol to Italy to punish the Lombards. He stood at the summit of his power. "Italy," he wrote to the Pope, "is my heritage, as is well known to the whole world."[1] This haughty saying of the Emperor was a manifesto which revealed his rejection of the principles adopted at Constance and Eger. Frederick wished to transform the entire peninsula into his monarchy.

Frederick II. begins the war against the Lombards.

His patience was exhausted. Tedious negotiations, in which the Pope invariably showed himself on the side of the Lombards, had only increased the defiance of the cities. The valiant burghers barred the communications between Italy and Germany, prevented the assembly of the imperial Diet in the cities of Northern Italy, and no longer permitted any German troops to cross the Alps. This was too much for the pride of the great Emperor. As he mounted his horse in September, to advance against Mantua and to enter on war with the confederates, he seized the imperial banner and shouted: "Pilgrims wander free throughout the world and I may not move within the confines of my empire." Fully convinced of his right, Frederick opened the war against the same Lombard league before which his grandfather had succumbed. To a principle of legal right, to a tragic error was due the overthrow of his glorious house. Is not the wise moderation of Barbarossa thrown into the clearer relief by the delusion of his gifted

[1] *Italia hereditas mea est, et hoc notum est toti orbi. Hist. Dipl.* iv. 881 (June 1236).

grandson, who flung himself against the current of his century and perished in it? The germ of the future lay in the communes; they, and not the empire, contained the principle of civilisation; their victory was in harmony with the spirit of the age; through them, the victory of the Papacy also was in harmony with that spirit, since the Church, as in the twelfth century, immediately made herself protectress of the burgher class and its liberties, and from these—the sources of the power of the age—drew forces to re-invigorate herself. In the great war of principles, which was now beginning afresh, the practical and the most immediate object was the relation of the investiture of the cities to the empire; the higher was the independence of the Italian nation, which no longer acknowledged the claim made by the German emperors, who asserted that Italy was their hereditary kingdom. Beside the communes stood the Papacy, which had now become national, fighting for the territorial foundations of its power, the Italian State of the Church, which it expressly regarded as the symbol of its universal supremacy;[1] fighting also for its emancipation from the authority of the State, anxious to bend the empire beneath the tribunal of the sacred chair, and thus to realise the demand made by this chair to universal dominion. The city republics afforded the popes the pretext and the

The empire, the cities, and the Papacy.

[1] According to the dictum of the Pope himself: *Patrim. b. Petri quod inter cetera imperii jura quæ seculari principi tanquam defensori sacros. commisit Eccl., ditioni suæ in signum universalis dominii reservavit. Hist. Dipl.*, v. 777. Letter of Gregory in February 1240: *Attendite ad petram.*

means for prosecuting their own aims, which in essence had nothing in common with the Italian citizen class, with which, nevertheless, through the principle of nationality, they were closely interwoven.

Struggle between the empire and the Church.

The whole of Italy was drawn into the new war between the empire and the Church; both powers strove after Italian dominion; the former through the Ghibelline principle of monarchic unity; the latter through a hierarchical ideal, supported by the Guelf tendencies towards national independence. The historic centre of gravity still rested in Italy, the home of those contrasts, which perpetually agitated the human race. The struggles which shook the beautiful country constitute the grandeur of her mediæval life; her most glorious age and her greatest acts of patriotism belong to the period of the house of Swabia. The strong civic spirit of the Italians, as expressed in their confederations, a splendid, though brief and ephemeral, phenomenon of civilisation, did not survive the age of the Hohenstaufens. The great ideas of the Guelfs and the Ghibellines degenerated soon afterwards into petty local quarrels between nobles and burghers, and the glorious republics finally became the prey of hereditary tyrants, devoid of any feeling for nation or country.

If Frederick II. had subjugated the Lombards, he would have united Italy under his sceptre. The popes were consequently the natural allies of those federations, in which, after the loss of Norman support, they recognised the only bulwark of the Church. They also found protection in the league of the Tus-

can and Umbrian cities, where Guelf Florence,—the steadfast enemy of Italian unity,—where Viterbo, Orvieto, Assisi, and Perugia, at this period the constant asylums of the Pope, rendered them invaluable services.[1] The Pope set to work with great foresight, and without any open violation of the law; the Emperor showed equal prudence. Each feared the power of the other. But nothing could prevent the renewal of open war between the two opponents, one of whom aimed at restoring the ancient imperial authority, while the other continued to maintain that the imperium, both by civil and by ecclesiastical law, belonged to the sacred chair.

Exaggerated theories of the papal power.

"Kings and princes," wrote Gregory to Frederick, "kneel at the feet of priests, and Christian emperors must subordinate their actions not only to the Roman pope, but even to other clergy. The Lord has reserved to himself alone the right of judging the sacred chair, to whose sentence he has subjected the world and all things hidden and revealed. The whole world knows that Constantine, the monarch of the universe, with the consent of the Senate and people of the city and of the entire Roman empire, recognised it as law, that the representative of the

[1] On December 5, 1236, the syndic of Perugia swore in presence of the sub-deacon Alatrinus to defend the *patrim. b. Petri in Tuscia et ducatum Spoletanum* for the Church. *Acta in palatio communis Tudertini* (Archives of Perugia, *Lib. Sommis.*, vol. B. fol. 53). On October 19, 1237, Spoleto, Perugia, Todi, Gubbio, and Foligno formed a Guelf alliance. (Archives of Perugia, *Contratti*, t. i. AA. 1237.) On September 3, 1237, Gregory IX. at Viterbo conceded the town of Assisi the privilege of the free election of the podestà and of other officials. (Bull in the City Archives of Assisi.)

Prince of the Apostles should rule over all the universe, over the priesthood, and over all souls, and should also receive the supremacy over all temporal things and bodies. Since, therefore, he held that he, to whom God had entrusted the divine power on earth, should rule as judge in temporal matters, he surrendered to the Pope of Rome the sceptre and insignia of empire, the city with its entire duchy (which thou triest to seduce from us by thy gold), and the empire, for all time. Esteeming it godless that the emperor of this world should exercise authority in the city, where the head of the whole Christian religion had been installed by the emperor of heaven, he left Italy to the rule of the Pope and sought a residence for himself in Greece. Thence the sacred chair transferred the empire to the Germans in the person of Charles (who humbly took upon his shoulders a burthen too heavy for the Roman Church); but while the Pope conceded to him the tribunal of the empire and the power of the sword, through the coronation and unction of thy predecessors and thee, he thereby yielded nothing of his rights of supremacy. Thou, however, offendest against this right of the pope, and no less against thine own honour and fidelity, when thou failest to recognise thine own Creator." [1]

Application of the spurious donation of Constantine to the theory of the absolute papal power.

In the face of such exaggerated theories, can we, in defiance of all justice, lay the sole burthen of the schism upon the Emperor? When Gregory IX.

[1] Long and important letter from Rieti, October 23, 1236 (*Hist. Dipl.*, iv. 914), in reply to Frederick's justification from Mantua (September 20).

openly asserted that universal monarchy belonged to the pope, that the possession of the State of the Church was merely the symbol of this monarchy, can it surprise us that Frederick II. undertook to destroy this symbol?

The Emperor summoned an assembly of envoys of all the cities at Piacenza in the summer of 1236. The Romans, justly irritated, failed to attend. Frederick consequently upbraided them as degenerate, and taunted them with the reproach, that Milan —the defiant enemy of the empire—was now greater than Rome.[1] Whenever the emperors had need of Rome, they flattered her with recollections of her ancient greatness, as were the majesty of the empire still inseparably associated with the city. Frederick even appealed to the *Lex Regia*, in order to derive from it the universal juridical authority with which he had been invested by the Roman people, while the Pope derived his seignorial rights over Rome, Italy, and the West from the mythical generosity of Constantine, and his supreme authority over emperors and kings to the absolute power of Christ.[2] Precisely at this time the Roman nobility added another ancient dignity to their titles. Romans of noble birth, if already invested with any high magisterial

The Emperor summons a parliament of the cities at Piacenza.

[1] To the Senator, Senate, and the people of Rome. *Hist. Dipl.*, iv. 901.

[2] He wrote to the Pope, on the occasion of a disputed episcopal election: *cum a nobis tantummodo publica debeant officia postulari, in quem lege regia prodita Rom. Pop. auctoritatis et justitie publice contulit potestatem*, September 20, 1236. *Hist. Dipl.*, iv. 912. Remarkable with regard to this order of ideas is his letter to the Sicilians, at the end of the year 1236: *ibid.*, p. 930.

office in city or province, or if sitting as podestàs in the Palazzo Communale of a republic, or governing as rectors any papal district, gravely called themselves Proconsuls of the Romans. The theatre which was too small for the ambition of the nobles had attained larger dimensions since the time of Innocent III., by the circumstance that the popes sent Roman nobles occasionally as legates, endowed with civil power, to a province, and still more frequently to fill the office of podestà in the cities of Central Italy. True, the ancient title *Consul Romanorum*, once borne by the nobility when they formed a political corporation hostile to the commune, still remained in use; but since the disappearance of the consuls who ruled over communes, and since the adoption of the title by the presidents of the guilds, it had lost its value, which was now transferred to that of *pro-consul*, borne exclusively by the higher nobility. It is not improbable, moreover, that the most prominent of the nobility began to adopt the epithet as the title of an actual dignity in the Senate, where they may have formed a sort of house of Peers.[1] After the first thirty years of the thirteenth century their new title was officially recognised by the popes as well as by the emperors.[2]

The Proconsuls of the Romans.

[1] King Manfred wrote to the Romans about 1261, that the right of the imperial election belonged to Rome *auctor. sui senatus, Proconsulum et Communis* (*F. Pipin*, Murat., ix. 681). The Senator and his Curia, the proconsuls, and the commune of the people are here distinguished. By proconsuls, however, we may understand simply the nobles. I have nowhere discovered proconsuls as a corporate body.

[2] Valesius (Essay, Archives of the Capitol) holds that Innocent III. had usurped possession of the consulate in Rome, and had appointed

The imperial faction at this time found their head in Peter Frangipane, the son of Manuel, and the grandson of Oddo. Frederick was reproached with having bribed this proconsul and other nobles, in order to excite disturbances which again assumed the form of a civil war. The papal party, however, found a powerful support in the Senator. The *Turris Cartularia*, Peter's fortress at the Arch of Titus, was attacked and pulled down, and Peter sought safety in flight. Quiet had scarcely been restored in March 1237 when the re-election of John of Poli as Senator produced fresh disturbances; for John Cinthii, an adherent of the Emperor, was put

Paoli Conti to be the first proconsul as his vicar. I have not, however discovered such a proconsul as a civic official in any document. I find the new dignity for the first time in a deed of 1220: *Roffredus Joannis Cencii dei gra. Romanor. proconsul ac Urbevetanor. potestas* (Archives of S. Fortunato at Todi, *Registr. vetus*, fol. 129). On the other hand, the Podestà of Orvieto in 1217, the Roman Giovanni Giudice, is called *Consul. Roman.* in a document. L. Fumi, *Cod. Dipl. d'Orvieto*, Flor., 1884, p. 79. *Ibid.*, A. 1239, *Petrus Anibaldi podestà* of Orvieto, *Consul. Rom.*, and in 1240 the same *proconsul Rom.*, p. 374, and again on May 24, 1301, Roffredo (a member of the Gaetani family) is called *per graz. di Dio proconsole de' Rom. e ora podestà di Orv.* The *Vita* of Gregory IX. gives the title for the first time to Pandulf of the Suburra and to Peter Frangipane in 1229. Again in March 1221 and in 1224 the latter calls himself merely *Consul.* In 1230: *Andreas Roffredi Romanor. proconsul potestas Tuscaniæ* (Turiozzi, *Memor. di Tuscania*, p. 117). In 1235 *Oddo Frangipani dei gr. Romanor. proconsul* (*Cod. Vat.*, 8049, p. 165). In 1238: *Paulus de Comite Romanor. Proconsul* (Contelorio, *Hist. famil. Comit.*, n. 6), A. 1239: *Nos Dom. Parentius Parentii dei gra. Rom. Proconsul et Senar. potestas* (Archives of Siena, n. 373). In 1240 Frederick wrote to the Romans: send me *proconsules vestros*, that I may bestow high dignities upon them, namely *præsidiatus regionum, regnor. ac. provinciar.*, Petr. de Vineis, iii. 72.

forward by the popular party. The factions fought in the city, until Poli, besieged in the tower of the Conti, agreed to his rival remaining Senator.[1] John Cinthii repressed his adversaries by force of arms, kept watch at the gates of the city, and tried to prevent the return of the Pope, which was eagerly desired by a number of the wearied Romans. An attack on the Capitol forced him to yield, when Jacopo Capocci, son of the celebrated John and brother of Cardinal Peter, was sent to Viterbo, to invite Gregory IX. to return. The Pope came in October 1237. The populace received him with the accustomed rejoicings, and the Senator himself went solemnly to meet him.[2] Vessels brought to the famished city wine and corn, which was distributed according to the regions by the priests. His return and reconciliation with Rome cost the Pope more than ten thousand pounds of hard cash. The misery of the city increased. Innocent III. had already been

John Cenci, Senator, 1237.

The Pope returns to Rome, 1237.

[1] Rich. Sangerm., p. 1038: *Romani plebei populi communitates—Joannem de Poli Senatorem urbis—Senatoriæ dignitati cedere compulerunt, et Joannem de Centio substituerunt.* . . . This name appears in the family of the Frangipani; nevertheless I also find in documents *Johes Cinthii Malabrance*, and *Johes. Cinthii de Paparescis*. The new Senator seems at this time to have been in possession of Molaria, a fortress which soon after appears as the property of the Anibaldi. He himself may have belonged to this family.

[2] *Cum eod Senatore incredibili malitia exeunte*, says the *Vita*, p. 582. If *malitia* be an error of the pen for *militia*, then was never one more *àpropos*. *Annal. Stadenses* (*Mon. Germ.*, xvi. A. 1237): *Papa Romam rediit, et pacem inter Romanos fecit.* Rich. Sangerm., p. 1040: *m. octobris S. Papa—rediit ad urbem, ubi novi confutati sunt Senatores DD. Joannes de Poli, et* . . . here the text is unfortunately interrupted (we may fill the gap with the name of *Johes. de Cinthio*).

forced to revive the distributions of money and corn by tickets, according to ancient custom; and his biographer on the occasion of a famine already enumerated eight thousand public beggars.[1] A numerous crowd of nobles, impoverished and in debt, formed the essential element of a civic revolt in Rome; and, generally speaking, the people were reduced to such an extremity, that they could not any longer endure the absence of the papal Curia and its wealth. The Romans, rejoicing in the return of Gregory IX., perhaps actually issued an edict that henceforward no pope should leave the city.[2]

Meanwhile Frederick II. was victorious in his wars with the Lombards. On November 1, 1236, he had taken Vicenza by assault, and had made the audacious head of the Ghibellines, Ezzelino, son of Ezzelino the monk, Signor of the city. The same winter the affairs of Austria recalled him to Germany, where his second son Conrad was elected King of the Romans in Vienna in place of the disinherited Henry. In Vienna
In August 1237 the Emperor assembled his army at Augsburg to march on Italy. He announced his return to the Senate, the Consuls and the people of Rome.[3] He came in September, after Ezzelino had already entered the powerful city of Padua. Mantua

[1] *Dabat illis sigilla, ut qui ipsa referrent singulis hebdomadib. pecuniam acciperent ad victum; et sæpissime talib.* 15 *libras per hebdom. impendebat* (that is to say, particularly to the nobles). *Vita Innocentii*, p. 567.

[2] Math. Paris, *ad A.* 1237.

[3] Augsburg, September 1237. Winckelmann, *Acta imp. ined.*, 340. *Frid. imperator senatorib. consulib. et P. R.*

Victory of the Emperor at Cortenuova, Nov. 27, 1237.

surrendered on October 1, and the great victory at Cortenuova on November 27 avenged the disaster of Legnano. The imperialists dispersed the valiant Milanese forces and their allies to the war-cry: *Miles Roma! Miles Imperator!* The empire again triumphed. On the bloody field of Cortenuova the cause of the Italian burghers, the peace of Constance, and the gains of an entire century seemed utterly lost. The Emperor made his entry into Cremona with the car of the banner, which he had taken from the Milanese, drawn by a white elephant, while Pietro Tiepolo, son of the Doge of Venice, Podestà of Milan, was led as a prisoner, chained to the mast or flagstaff of the Carroccio in sight of the people. Roman envoys were witnesses of the Emperor's triumph. They had come to announce the return of the Pope, and Frederick commissioned them to work for his interests.

In the pride of victory he sent the remains of the Milanese Carroccio and several military trophies, which he had acquired, to the Roman people, to be preserved on the Capitol. The Carroccio was regarded as the palladium of the cities. A richly decorated waggon, drawn by oxen, carrying the flagstaff, which bore the gilded representation of the crucifixion and a bell, was drawn in battle as the sacred symbol of the republics, and was guarded by a select body of warriors, resolute to defend it to the death. Its loss was regarded as the direst misfortune or the greatest disgrace which could befall the honour of a city.[1] Frederick accompanied

[1] Platina's *History of Mantua*, Murat., xx. 660, gives an illustra-

the singular gift with a letter to the Romans, in which he speaks, after the manner of an ancient triumphator, in pompous verses written by some court poet present in the camp.[1]

Frederick presents the conquered Carroccio of Milan to the city of Rome.

The Pope saw with displeasure the entry of these trophies, but could not prevent their solemn reception at the hands of the imperialists.[2] The spoils of Milan were placed on antique columns which had hastily been erected on the Capitol.[3] Below it was placed an inscription which, built into the wall above the staircase of the Palace of the Conservatori, may still be read.[4] The Romans thus again adorned

tion of the Carrocium of Cremona. The Carrocium was not used in Rome, where I have found no trace of it.

[1] *Urbs decus orbis ave victus tibi destinor ave Currus ab Augusto Friderico Cæsare justo. Fle Mediolanum, jam sentis spernere vanum Imperii vires proprias tibi tollere vires. Ergo Triumphorum potes urbs memor esse priorum, Quos tibi mittebant Reges, qui bella gerebant.* (*Ricobald*, Mur., ix. 259. *Francis. Pipin*, *ibid.*, p. 658.) Frederick's letter of January 1238, *Hist. Dipl.*, v. 161.—In December 1237 Petrus de Vineis writes to the German princes, that Frederick was sending the Carrocium to the Roman people. According to the *Annal. Placentini*, *Mon. Germ.*, xviii. 478, it was brought by mules by way of Pontremoli to Rome in January 1238.

[2] *Quod carocium cum apud Romam duxissent, dom. Papa usque ad mortem doluit. Annal. Plac. Gibelini*, as above. The chronicler even says *quod positum fuit in Capitolio per Cardinales.*

[3] Eike von Repgow, *Bibl. des Liter. Vereins*, xlii. 487. *Galvan. Flamma Manip. flor.*, p. 673: *rotas et asseres in unum conjunxit, et Romam misit, quod super columnas ad perpet. rei mem. erigi mandavit.* The Caroccio was placed *in claustro cancellariæ Capitolii super columnas*, that is to say, in the court of the Capitoline prison in the ancient Tabularium.

[4] *Cesaris Augusti Friderici Roma Secundi*
Dona tene currum princeps in Urbe decus.
Mediolani captus de strage triumphos

The Romans place the trophy on the Capitol.

their moss-grown Capitol with trophies of victory; these trophies, however, the bell of the commune, the chain or the bolts of one of the city gates of Tusculum, Tivoli, or Viterbo, and finally the wheels of a Carroccio, would have provoked the derisive laughter of one of the ancient conquerors of the world.

The imperial party temporarily gained the upper hand, when the Pope again returned to Anagni in July 1238.[1] Henceforward there were occasionally two Senators in Rome, so that we may conclude that one was put forward by the Ghibelline faction, a custom which afterwards became the rule.[2] The Guelfs meanwhile made such successful resistance that Gregory IX. was able to return in October 1238 and compel his opponents to obedience. The Sena-

Cæsaris ut referat inclita preda venit.
Hostis in opprobrium pendebit, in urbis honorem
Mictitur hunc urbis mittere jussit amor.

This inscription, one of the few monuments of the German emperors in Rome, was discovered on the Capitol in 1727 (Mur., *Antiq. Ital.*, ii. 492). It was affixed to the wall over the staircase in the time of Benedict XIV.

[1] Among them the *Vita* mentions Bobacianus and Ægidius Boetii, and in a document of June 2, Jacopo Girardi, in presence of Peter Frangipane, swears to maintain the fidelity of a vassal to the Emperor. *Hist. Dipl.*, v. 209.

[2] A passage of Matt. Paris, noted by Curtius, p. 318, favours this opinion; I add a second (p. 521), in which the chronicler says in 1240: *creatus enim erat unus Senator Romæ auct. Imperiali, anno tertio precedenti*, which is 1238. The dual number was afterwards introduced owing to the schism between the factions. The Capitoline Register gives for the year 1238 *Joh. de Comitibus, Proconsul Rom. et Joh. de Judice.* For August 21, 1238, at least, I can establish: *Dom. Oddo Petri Gregorii dei gr. Alme Urbis III. Senator ac Perusinor. potestas* (Archives of Perugia *Lib. Sommiss.*, vol A. fol. 133').

tors at this time in office, John of Poli and Oddo Petri Gregorii, resigned, and John de Judice, a member of the papal faction, was installed as sole Senator.[1] He took a decisive part against the Ghibellines and overthrew their towers, thereby destroying many monuments of antiquity, and, as it would appear, a part of the Palace of the Cæsars.[2]

John de Judice, Senator, 1238.

2. EXORBITANT DEMANDS MADE BY THE EMPEROR FROM THE LOMBARDS — THE POPE EXCOMMUNICATES FREDERICK, 1239 — FREDERICK WRITES TO THE ROMANS—HIS MANIFESTO TO THE KINGS—COUNTER MANIFESTO OF THE POPE—DIFFICULT POSITION OF FREDERICK II. IN RELATION TO THE TIMES—CONTRADICTIONS IN HIS OWN CHARACTER—IMPRESSION CREATED BY HIS LETTERS ON THE WORLD — THE CURIA HATED ON ACCOUNT OF ITS EXTORTIONS—GROUPING OF PARTIES—FREDERICK CARRIES THE WAR INTO THE STATE OF THE CHURCH.

The victory at Cortenuova failed to produce the expected results. True, the dismayed inhabitants of Milan and of other cities offered full recognition of

[1] He is designated by the *Vita* as *tunc Senator*, but before the return of the Pope, which is incorrect. His election must have taken place in November. The family *de Judice* belonged to the Papareschi. John de Judice had been podestà of Orvieto in 1209, 1216, 1226; podestà of Florence in 1234. In 1240 he became podestà of Perugia.

[2] Gregory's biographer suddenly evinces a feeling for antiquities, *quorum* (of the imperialists) *solvit colligationes iniquas et per devotum Johannis de Judice tunc Senatoris obsequium, turres hostium, et operosi marmoris tabulata Palatia, nobile vestigium prioris ætatis, in opprobrium ruine redegit* (p. 582). It appears that here he really means the Palatine of the Frangipani.

the imperial power, vassalage, the renunciation of the articles of Constance, and the dissolution of the league. The dazzled Emperor, however, required unconditional surrender; on which the noble burghers formed the heroic resolution to defend their freedom to the last man. The resistance of the cities saved the Papacy once more; and the Emperor, who now appeared to the Italians as an overbearing despot, saw Fortune avert her face. Even King Conrad's reinforcements in June 1238 failed to compel Brescia to surrender; the citizens not only endured a cruel siege, but even obliged the Emperor to retire, a step which diminished his prestige. At the instance of the Pope the great maritime cities of Genoa and Venice formed an alliance, while the Guelf party again ruled in Rome.

The Emperor retires from Brescia, 1238.

These combined events induced Gregory to make war on his powerful opponent for the second time, and, although he had no right to interfere in the struggle between the Emperor and the rebels against the empire, openly to pronounce in favour of the Lombards. At an apparently favourable moment, he provoked the bitterest war between the Church and the empire, and, as the aggressor, compelled Frederick to defend himself. Without any valid grounds he again excommunicated the Emperor on March 20, 1239, and this time the Romans did not interfere. He announced the excommunication of the Emperor to Christendom by means of a manifesto, and released his subjects from their oath. The laboriously compiled list of sins charged against Frederick was headed by the accusation of having

Gregory IX. excommunicates the Emperor, March 24, 1239.

incited Rome to rebellion against the Church, while in reality he had saved the supremacy of the sacred chair in 1234.[1]

The Emperor, on receiving in Padua the news of the declaration of war, assembled a parliament and caused his chancellor Peter in a brilliant speech to explain the justice of his case and the injustice of the Pope's. He forthwith issued his manifesto to the world. He reproached the Romans that they had not prevented the precipitate action of the Pope. "It pains us," he wrote to the Romans, "that even in the city itself the Roman priests presume insolently to calumniate the Roman Emperor, the creator of the city, the benefactor of the people, without the citizens offering any opposition. It pains us that in the whole race of Romulus, among all the nobles and quirites, among so many thousands, not a single dissentient voice has been raised in disapproval of the injustice which has been done us, though we have just now added to the spoils of ancient triumphs in the city the new trophies of our own victories." He summoned the Roman people unanimously to rise and avenge their common disgrace and to defend the Emperor, under threat of his displeasure.[2]

Manifesto of the Emperor to the Romans.

The same day he sent letters of weighty import to all the princes of Christendom, in which, by the pen

[1] The bull of excommunication in Matthew Paris for the year 1239, p. 329. Sardinia also formed one of the grounds of the sentence; Frederick having married his son Enzio to Adelasia, the heiress of Gallura in the island, of which he had made him king. Raumer, Cherrier, and Schirrmacher, *Kaiser Friedrich II.*, Göttingen, 1864.

[2] *F. . . . Senatori urbis et suis Conromanis salutem. . . .* Treviso, April 20 (Matt. Paris, p. 332).

of Peter de Vineis, he justified himself against the accusations of the Pope, represented the injustice which he had experienced from the Church since the death of his father, depicted Gregory IX. as an ambitious and rapacious priest, a false prophet, and unworthy of the Papacy, summoned the princes to oppose his assumptions with their united powers, and appealed to a Council which he convoked.[1]

The Emperor appeals to a Council.

"A beast rose from the sea filled with names of blasphemy, furnished with the claws of the bear, the jaws of a lion, and in body resembling a panther. It opens its mouth to utter blasphemies against the name of God, and does not hesitate to hurl similar projectiles against his tabernacle and the saints in heaven." With similes taken from the Apocalypse such as these, Gregory opened his counter manifesto of June 21. This celebrated encyclical, in which a bitter hatred is veiled in the pomp of Old Testament diction, is one of the most remarkable monuments of the great quarrel between the empire and the Papacy; a monument of Roman arrogance and of the passion of the priesthood, intoxicated with hatred, of its sonorous oracular language, and of its vehement energy. Gregory strove to refute all Frederick's charges, but it was here for the first time that he accused him of aiming at the spiritual power, and openly stigmatised him as an atheist.[2]

Encyclical of Gregory IX.

[1] *Levate in circulo oculos vestros. . . . Hist. Dipl.*, v. 295.

[2] *Ascendit de mare bestia blasphemie plena nominibus . . .* from the Lateran, June 20, 1239. *Hist. Dipl.*, v. 327. The expression of his opinion *de tribus impostoribus* was laid to the Emperor's charge. His answer to the cardinals is given by Peter de Vineis, i. 31, and

The new position which the Papacy had acquired by the foundation of the State of the Church created by Innocent on the one hand, the new position which the house of Hohenstaufen occupied in Italy by its hereditary possession of Sicily on the other, were, next to Lombardy, the practical causes of the terrible war; the State of the Church was the expression not only of the Guelf and national tendency of the Papacy, but also of its civil power in general; Sicily was the foundation of the Ghibelline imperial idea. The popes demanded the feudal sovereignty of the kingdom, and the Emperor made it independent of feudal ties with the Church. The popes thwarted his aims; in alliance with the Guelf nationalists they strove to destroy the Hohenstaufen scheme for the unity of Italy. From such causes as these the battle between the new papal monarchy, created by Innocent III., and the new imperial monarchy broke forth with increased violence, and the ancient quarrel between the tiara and the crown waxed more than ever formidable, assuming, as it did, the guise of the rivalry between the political and the ecclesiastical spirit in general. It was necessary that this contrast, pushed to its extremest limits, should be fought out to the end. The question for Frederick II. henceforward was, to sever the political power from the spiritual, to deprive the Pope of all political influence, the Church of her earthly possessions. The separation of these two powers, the great Ghibelline principle, on which rest all civil and political liberty, as

The Ghibelline theory.

Hist. Dipl., v. 348, in which he professes his belief in the Catholic faith.

all liberty of the individual conscience, in short the entire development of human civilisation, was proclaimed with great decision by Frederick II., and this was the reform to which he summoned Europe. It was impossible, however, that he should win the victory, since the burgher class and the popular feeling in general were on the side of the Papacy, while the monarchic spirit in Europe had not yet reached maturity.

Had the great representative of temporal rights, who summoned the kings to his aid, but found a support in the burgher class, the Papal power would have been already ruined; had the ideas of the evangelical heretics been able to penetrate the consciousness of the age, the scattered elements of heresy would have been already united in a great stream of reformation. Frederick, however, was the enemy of the democracy, and at the same time he burnt heretics at the stake. No spirit of reform, in the sense of later ages, guided his conduct. That such a spirit could be cherished by mankind was impossible in an age governed by the dogma of the Papacy, by the Inquisition, and by enthusiasm for Francis and Dominic; in an age when a vain preaching friar, such as Peter of Amiens or Fulco of Neuilly, celebrated triumphs of eloquence, when the words of men like these were able to move many thousands of citizens (bitterly hostile to each other) to reconciliation, when they even touched an Ezzelino and were regarded as the laws of an oracle by powerful cities;[1] at a time when Frederick in un-

[1] The history of John of Vicenza and of the Parliament of Peace at Verona (August 29, 1233) present a remarkable picture of the

critical naïveté, and even in the midst of his fiercest warfare with the Pope, accepted as a fact the simile of the two lights in heaven, the greater and the lesser, the priesthood and the imperium. The spirit of his age, more than his own tone of mind, explains the curious discrepancies in the character of this great Emperor, who undertook a Crusade under the excommunication of the Church, and entertained Saracens and bishops at the same table; who caused Minorites and Dominicans to be burnt as friends of the Pope, and put heretics to death as his enemies; who had himself solemnly enrolled a member of the congregation of the Cistercians at Casamari; who with his own hand crowned the corpse of S. Elizabeth at Marburg; who like Arnold of Brescia denounced the wealth of the Church as unchristian, but whose *Regesta* are filled with diplomas in favour of churches and convents and with charters of episcopal jurisdiction.

Impression created by the Emperor's manifesto.

An English chronicler has described the impression which Frederick's manifesto created in Germany, England, and France. The British nation felt itself deeply injured by its unnatural feudal relation to the sacred chair, by the papal condemnation of the Magna Charta, and finally by the shameless draining of its property through benefices, Church tithes, and taxes for the Crusade. Frederick, said the English,

time. *Chronicle* of Antonius Godus, *Vita Riccardi Comitis*, Parisius de Cereta, Gerard Maurisius, Salimbeni and Verci's *History of the Ezzeline*. Salimbene, as a Minorite, has exposed John's vanity with malicious complacency. According to Parisius (Murat., viii. 627), the great peacemaker had sixty citizens burnt at Verona.

had, in his war with Otto IV., rendered the Pope a greater service than he owed him. He does not show himself a heretic; he writes full of Catholic humility to the Pope; he attacks his person not his office; the English Church is daily drained by the Romans, but the Emperor has never sent us usurers and robbers of our revenues.[1] The same historian nevertheless admitted that the influence of the papal encyclical had been very great, and had weakened that of the Emperor to such a degree, that Christendom would have risen against Frederick as an enemy of the Church, had not the avarice of the Curia diminished the reverence of nations. The judgment of the world was divided; the kings, however, gladly saw the power of the empire weakened, and, in spite of the resistance of the exhausted bishoprics, streams of the gold of Christendom again flowed into the coffers of the Lateran. Frederick soon unavailingly complained to his brother-in-law Henry III., that the King permitted collections to be made in England, which furnished the Pope with means to make war upon him.[2]

[1] Matt. Paris, p. 512. The Pope sent mendicant monks as tax-collectors throughout the world. The *Cod. Vat.*, 4957, fol. 43, contains a satire *de Pecunia: Pecunia Romanor. Imperatrix et totius mundi semp. Augusta dil. suis filiis et procuratib. universis salutem et rore celi et terræ pinguedine habundare.* Still more ancient is the celebrated song of the *Carmina Burana: Propter Sion non tacebo, sed ruinam Rome flebo.* The songs of the troubadours and of the Swabian poets are full of satires on the avarice of the Curia.

[2] *Ha Deus! sustineret hec hodie si viveret Henricus senior rex Anglie? Et recolende memorie rex Riccardus et alii—?* (*Hist. Dipl.*, v. p. 468). Henry III. justified himself *præsertim cum tributarius vel feudatarius Papæ esse de jure comprobetur; et sic se excusando*

The bull of excommunication, it is true, was published in France, and even in England, without arousing any resistance, but Gregory did not find any prince ready to serve him as rival king against a great monarch, whose majesty cast a splendour over the world. Neither did Frederick conceive the thought of setting up an anti-pope. A schism was impossible in the Church, which had become strong and united under Innocent III. The decision of the struggle lay at this time essentially with the Lombard league. Milan and Bologna still formed the strong defences of the Papacy in Northern Italy; Genoa and Venice were its allies; Azzo of Este, the Count of S. Bonifazio, Paul Traversari in Ravenna, and Alberic of Romano (a brother of Ezzelino who had renounced the cause of the Emperor) were leaders of the Guelfs. Of the Umbrian and Tuscan cities the majority took the side of the Pope. Besides Ezzelino, Padua, Vicenza, and Verona fought on Frederick's behalf, as also did other cities such as Ferrara, Mantua, Modena, Reggio, and Parma; he was also supported by the veteran hero Salinguerra, who soon retired from the scene, and the Margraves Palavicini and Lancia. Now also Enzio, Frederick's young illegitimate son, King of Torre and Gallura in Sardinia, who was appointed vicegerent of the empire in Italy on July 25, 1239, began his short and brilliant career.

Guelf allies of the Pope.

turpiter accusavit, says excellently Matt. Paris, p. 524. Note what he says (pp. 517 and 518) concerning public opinion in France, which in the beginning was strongly in favour of the Emperor. And of Germany: ***a nullis, vel a paucis meruit Papalis auctoritas exaudiri.***

On the failure of the negotiations for peace, carried on through the German bishops, and on the death of Conrad, Grand-master of the Teutonic Order in Rome (July 1240), the two opponents entered the lists.[1] Frederick resolved to regard the Church merely as a political force, hostile to himself, and entirely to destroy its organisation within the State. The opposition of the bishops and of the inferior clergy in the Sicilian kingdom was punished by a merciless persecution; the political agitation of the mendicant monks (who were laid under the imperial ban) by death, imprisonment, and exile, while the estates of the Church were everywhere confiscated or taxed. Such was the fate of the wealthy abbey of Monte Casino, which was entirely secularised. While the Emperor confided the administration of the March of Ancona to his son Enzio, he resolved himself to carry the war into the State of the Church, and, like Henry IV. or Henry V. before him, to annihilate his enemy in Rome. The city consequently attained a local importance. The Emperor, it was said at the court of Gregory IX., has sworn to make the Pope a beggar, to throw the sanctuary to the dogs, to transform the honoured cathedral of S. Peter into a stable—prophetic threats which, if ever uttered, were never executed by Frederick II., but which in much later times were to be fulfilled to the letter by Charles V.[2]

The Emperor confiscates the property of the Church.

[1] Several German spiritual princes also exhorted the Pope to make peace with the Emperor, since they could not desert Frederick and since his complaints were not unfounded. Böhmer, *Acta Imp. Sel.*, 965 (of the year 1239).

[2] *Comminatur aperte sanctum dare canib. . . . et venerandam*

3. THE CITIES OF THE STATE OF THE CHURCH VEER TO FREDERICK'S SIDE—THE EMPEROR MAKES HIS RESIDENCE AT VITERBO—DESPERATE POSITION OF THE POPE—WHY ROME REMAINED GUELF—THE GREAT PROCESSION OF GREGORY IX.—RETREAT OF FREDERICK II.—TRUCE—ITS VIOLATION BY THE POPE—DEFECTION OF CARDINAL JOHN COLONNA —GREGORY CONVOKES A COUNCIL—THE PRIESTS IMPRISONED AT MONTE CRISTO, 1241—THE TARTARS — UNSUCCESSFUL NEGOTIATIONS — ANIBALDI AND ODO COLONNA, SENATORS—MATTEO RUBEUS ORSINI, SOLE SENATOR—FREDERICK BLOCKADES ROME — DEATH OF GREGORY IX., 1241.

In February 1240 the Emperor entered the State of the Church with the avowed intention of uniting it to the empire.[1] Several cities of Umbria, of the Sabina and Tuscany opened their gates to him, and even Viterbo, hitherto the most faithful ally of the Pope (who had restored her walls), deserted the Church, less from inclination towards the Emperor than from hatred to Rome, which now took the part of the Papacy.[2] Frederick established his residence in Viterbo. Corneto also yielded homage, and the

Frederick II. occupies the State of the Church, 1240.

Principis Ap. Basil. in præsepe deducere jumentor!—Qui etiam Eccl. Principem in illam immergere gloriatur egestatis injuriam, ut cinerem pro corona suscipiat, spicas pro pane vendicet et pro equor. candidata gloria cogatur quærere subjugale. . . . Vita, p. 585.

[1] In August 1239 he released the March of Ancona and Spoleto from their oath to the Church, and annexed them to the empire. *Hist. Dipl.*, v. 376.

[2] Entry into Viterbo, February 16, 1240. Frederick raised Viterbo to the *Aula Imperialis* in September. Bussi, *Append.*, p. 405; Pinzi, i. 370.

Ghibelline party in Tivoli stood in alliance with him. He wrote to all his adherents, that he had met with a joyous reception in his imperial Camera in Viterbo, that all the cities in Roman territory and in the Maritima had done homage to him, while his son Enzio held the March of Ancona in his power. "Nothing remains to be done," he said, "but to enter the city, where the entire Roman people looks to me, in triumph, to restore the ancient imperial power and to wreathe my victorious eagle with laurels."[1] He wrote to the Romans in pompous words, as so many emperors had done before him, promised them the restoration of their ancient splendour, and exhorted them to send their proconsuls Napoleon, John Poli, Oddo Frangipani, and Angelo Malabranca to his court without delay, in order that he might confer imperial dignities and governorships upon them.[2] The Emperor stood before the object of his desires. Only two days' march separated him from Rome, where the fate of Gregory IX., as formerly that of Gregory VII., entirely depended on the attitude of the Romans. The Frangipani (as early

[1] *Hist. Dipl.*, v. 762. From Viterbo in February.

[2] Peter de Vineis, iii. 72. *Ardens semper . . .* in February, probably from Viterbo. Winkelmann, *Forsch. zur deutsch. Gesch.*, xii. 287, places this letter in the year 1239, Böhmer-Ficker, 2199, in 1236; the sequence of events, however, speaks in favour of 1240. Napol. Johannis Gaetani was an Orsini. For Giovanni, the eldest son of Orso and the brother of Rainaldo, took the name of Gaetano from his mother Gaetano Crescenzi. He married Stefana Rubea; and his sons were Jacopo, Matteo, and Napoleone. (Gammurrini, *famil. nob. Toscane*, ii. 16.) Seals of Frederick also bear the inscription, *Roma caput mundi.* Gold bulla of the diploma of September 1234. (Title-page of the *Hist. Dipl.*, tom. iv.)

as 1239 the Emperor had caused their tower at the Arch of Titus to be restored, and had rewarded Oddo and Manuel with estates in Neapolitan territory) headed the Ghibellines in the city;[1] the papal party, however, retained the upper hand, since the Conti, Orsini, and Colonna stood unanimous on Gregory's side. The Pope had consequently been able to return quietly to the city in November 1239, and had again pronounced the anathema on Frederick.

The courage of an aged man, who had nothing to hope from life, who left no heir, and who was the very essence of his Church incarnate, causes no surprise The attitude of the Romans, however, would excite astonishment, did we not reflect that good reasons rendered it advisable for them to accept the Pope rather than the Emperor. Had Frederick II. gained possession of Rome, he would have abolished the Statutes of the Capitol, and would have transformed the Senator into his procurator. The rule of the Pope in Rome was mild and weak; the rule of the Emperor—the determined enemy of all civic autonomy, on whom the Roman republic itself had made war at Viterbo, who might at any moment surrender them back to the Pope—

The Romans remain faithful to the Pope.

[1] The Cartellaria had fallen down on August 15, 1239; the Emperor had commanded John, Magister of S. Germano, to restore it; the Pope was at Anagni (*Vita*, p. 586; *Hist. Dipl.*, v. 451; see p. 455, Frederick's assignment of revenues in the kingdom to Oddo and Manuel, dated October 19, from the camp at Milan). The prefect had no longer any importance in Rome. He is, however, mentioned in a deed of April 22, 1237: *Joannes Urbis Alme Pref. Cod. Vat.*, 6223, fol. 93. And the same man also as early as April 21, 1230. Murat., *Antiq. It.*. i. 686. He was son of Peter.

would have been neither the one nor the other. This explains why the Romans did not make use of the opportunity to rise against the rule of the sacred chair, which they had been unwillingly forced to recognise since 1235. The patriots upheld Gregory IX., and hence, owing to circumstances, the Pope again appears as the actual representative of the national autonomy of Rome.

The Ghibellines undoubtedly assumed a bolder attitude as soon as the imperial troops advanced to the gates of the city: many voices shouted "the Emperor, the Emperor! We will give him the city," and Gregory may have expected the final defection of a fickle people, who had already frequently driven him forth. In his distress he instituted a solemn procession on February 22, when the relics of the Cross and the heads of the Apostles were carried from the Lateran to S. Peter's. He had the relics laid upon the high altar, and taking the tiara from his head, placed it upon them and thus addressed them. "Ye saints, defend Rome, which the Romans would betray!" His action produced the desired effect upon the crowd, which is easily moved by mysteries and theatrical displays. Several Romans took the Cross from the hands of the Pope himself against the Emperor, as against a pagan and a Saracen.[1] From the neighbouring Viterbo Frederick scoffed at the numbers and position of these crusaders, who were to suffer the full measure of his wrath as soon as they fell into his hands. Gregory, however, was convinced that the

[1] *Annales Placentini Gibellini. Mon. Germ.*, xviii. 483.

sudden change in the attitude of the Romans was due to a divine miracle.[1] The Emperor, whose army was too weak successfully to attack Rome, saw his hopes shattered; he left Viterbo for Apulia on March 16, and gave vent to his indignation against the Romans in letters merely.

In summer he entered the Marches, without inflicting any injury on the Roman Campagna. He even granted the Pope a truce, in which, however, he refused to include the Lombards. But the cardinals, who were urgent in favour of peace—the moderates formed a strong opposition among them—desired a general Council which should decide the quarrel. Meanwhile, vast sums of money suddenly placed the Pope in a position to continue the war for another year. He consequently renounced the truce, for which he had himself previously striven. His conduct excited profound displeasure in Rome. The Cardinal of S. Prassede, John Colonna, the mediator of the truce, considered it an insult to his honour, and openly took the side of the Emperor. And in John this celebrated house first decidedly embraced the cause of the Ghibellines. He was the second cardinal of the Colonna family, had been a favourite of Honorius III., several times legate under Gregory IX., and in 1239 had been sent to the March of Ancona to fight against Enzio. The proud and wealthy prince was the foremost member

Cardinal John Colonna goes over to the Emperor's side.

[1] Frederick spoke of *garsones quosd. et vetulas* (to England, March 16. Viterbo, Matt. Paris, p. 521); the Pope, on the contrary, of an innumerable crowd (Hahn, *Collect. Mon. vet. rec.*, i. 346). Frederick commanded that these crusaders should be branded.

of the College of Cardinals. His apostacy could be traced neither to avarice nor to malice; it was a protest against the lust of power shown by the Pope, whose passions dragged the Church into ruinous paths.[1] "Such signs," exclaimed the English historian, "make it clear that the Roman Church has drawn upon herself the wrath of God. For her rulers do not exert themselves for the spiritual welfare of the people, but only to fill their own pouches; they do not seek to win souls to God, but only to acquire revenues for themselves, to oppress the priests, and by means of ecclesiastical punishments, by usury, simony, and a hundred other arts, insolently to annex the property of others."[2]

The Pope summons a Council in Rome, August 1240.

The rebellion of a cardinal was followed by a still more severe blow for the Pope. On August 9, 1240 from the abbey of Grotta Ferrata he convoked a Council at Rome for the following Easter. The suggestion was due to the Emperor, but Frederick could not submit to the decision of a tribunal, which, now that his victorious arms had made him ruler of the greater part of Northern and Central Italy, now that his enemy was in the utmost difficulty, and he himself cherished the hope

[1] Matt. Paris places a letter of John to the legates in England in the year 1237: *voluimus reformare statum et sæpe tentavimus, et ecce deformis destitutio subintravit.* And previously *nimis avide, vel potius inconsulte, se mater (ecclesia) immersit fluctibus* (p. 307). . . . Matt. Paris, p. 366, gives the grounds of the breach. *Nec ego de cætero te habeo pro Cardinale*, said the Pope; the Cardinal: *nec ego te pro Papa; et sic recessit—adversarius.*—The first cardinal of the house of Colonna, John, Bishop of the Sabina, died in 1216.

[2] Matt. Paris, p. 307.

of dictating peace in Rome, would assuredly prove hostile to him. He had consequently sent letters forbidding the clergy to attend the Council, had warned them against the journey, and had refused them safe-conduct. A remarkable letter, written by an independent priest, draws a picture—by no means flattering to Rome—of the dangers that awaited even the bishops in the city. "How can you," he said, "enjoy safety in the city, where all the citizens and the clergy are at daily strife for and against both opponents? The heat is insufferable, the water foul, the food is coarse and bad; the air is so heavy that it can be grasped with the hands, and is filled with swarms of mosquitos; the ground is alive with scorpions, the people are dirty and odious, wicked and fierce. The whole of Rome is undermined, and from the catacombs, which are filled with snakes, arises a poisonous and fatal exhalation."[1]

Many prelates of Spain, France, and Northern Italy would not allow themselves to be deterred by any danger from undertaking the journey to Rome. Gregory, legate of Roumania, the Cardinals Jacopo Pecorario of Praeneste and Otto of S. Nicholas met in Genoa and set forth in Genoese vessels in blind confidence until, off the cliff of Meloria, they saw the sails of the republic of Pisa and the Sicilian fleet advancing against them with hostile intent. The celebrated naval battle, which took place near the

[1] *Gens immunda, abhominabilis, pessima, gens furoris.* The Pope, who only desired money, had, he says, summoned the clergy *ut sitis organa sonantia juxta deductionem et libitum organiste.* *Hist. Dipl.*, v. 1077, after Baluzius. *Miscell.*, i. 458–468.

islands of Monte Cristo and Giglio, was one of the most curious spectacles ever witnessed at sea. More than a hundred prelates — cardinals, bishops, and abbots—were the trembling spectators of a deadly conflict, and formed at the same time the object of the battle and the spoils of the victory. The Genoese galleys with their soldiers and priests were scattered, sunk, or boarded, and the imperial admiral sailed triumphantly with his prey towards the harbour of Naples. The unfortunate priests remained at sea during three terrible weeks, in chains, tortured by heat, hunger, thirst, and the jeers of the rude sailors, until they reached the prisons of Naples or Sicily. Here they hung (as the Pope sympathetically lamented) their harps on the willows of the Euphrates, and awaited the sentence of Pharaoh.[1]

Several prelates are taken prisoners at sea, May 1241.

The capture of the priests produced a great sensation throughout the world. Never has the Church forgiven "the godless outrage" committed by the Emperor. He received the news of the transaction, which released him from the Council, at Imola. Fortune favoured his banner. Genoa had been humbled, Milan overcome by the faithful inhabitants of Pavia, Benevento conquered, and after a prolonged siege heroic Faenza had fallen on April 14. Frederick, therefore, resolved, instead of besieging Bologna, to march against Rome. Fano and Spoleto made subjection to him in June, and, encouraged by

[1] Matt. Paris (p. 563) has somewhat maliciously described their sufferings. Frederick calls them in contempt *Turba prælatorum* (Peter de Vineis, i. c. 8). A beautiful letter of consolation from the Pope, in Raynald, *ad A.* 1241, n. 71.

Cardinal Colonna, he marched by Rieti and Terni to the neighbourhood of Rome. Thus the flames of war between Emperor and Pope were rekindled, and the mischievous effects of this war on Europe were shown at this very moment, when the news of an irruption of wild barbarians from the East aggravated the disorder. The Tartar hordes of Octai ravaged Russia, Poland, and the Danubian provinces, and revived in the Latin West the terrors which in ancient times had been caused by the Huns. Christendom turned for rescue to both Emperor and Pope, but to its profound dismay heard the Pope preach a Crusade against the Emperor, and heard the Emperor explain that he could not turn his arms against the Tartars until he had forced the Pope to make peace. He wrote to the Roman Senate, in June 1241, that he was informed of the pressure of the Tartars against the frontiers of the empire; that he was approaching in forced marches to treat with the Pope; that the city ought to rise in his aid, so that after the settlement of Italian troubles he might avert a terrible misfortune from the empire.[1]

The Emperor marches against Rome.

He sent messengers to the Pope; even his brother-in-law Richard of Cornwall, who, having returned from the East in July, came to Rome as ambassador, but without obtaining access to Gregory. The unyielding veteran, like Gregory VII., preferred death to surrender, and, in spite of the defection of

[1] *Hist. Dipl.*, v. 1139. *In castris ante Spoletum*, June 20. A Privilegium, in favour of Spoleto, is dated hence in June. Achille Sansi, *Docum. storici inediti*, Foligno, 1879, ii. 277.

Cardinal Colonna and his house, was not without friends in Rome. True, that in the beginning of the year 1241, Anibale degli Anibaldi and Oddo Colonna, nephew of the cardinal, had filled the office of Senator, and that the imperial faction must have asserted itself alongside of the papal; but since these Senators again ratified the treaty of peace of the year 1235 in March, it follows that Gregory IX. still remained master of the city.[1] At a fresh election of the Senate in May 1241, he succeeded in procuring the elevation of the Orsini, the enemies of the Anibaldi and the Colonna, and the heads of the Guelf party. For Matthew Rubeus became sole Senator. This celebrated man, formerly the patron of S. Francis, was the son of John Gaetani Orsini and of Stefania Rubea, and a grandson of Ursus, the ancestor of the house.[2] He himself became the founder of a powerful race, which divided into several branches. His sons and grandsons filled the annals of Rome with their names and deeds, on the papal throne, as cardinals, and on the senatorial chair in the Capitol.[3]

Anibale Anibaldo and Oddo Colonna, Senators, 1241.

Matthew Orsini, Senator, 1241.

[1] *In rom. D. Amen. A.D. incarn.* 1241 *Ind. XIV. medio* (*mense?*) *Martii die* 4 *Nos A*(*nibaldus*) *et O. de Columna . . . Senatores. . . .* Papencordt-Höfler, p. 297. Oddo Colonna was the first Senator of his house; he is quoted as such in the year 1241 in a list of the senators of this family in the Colonna Archives.

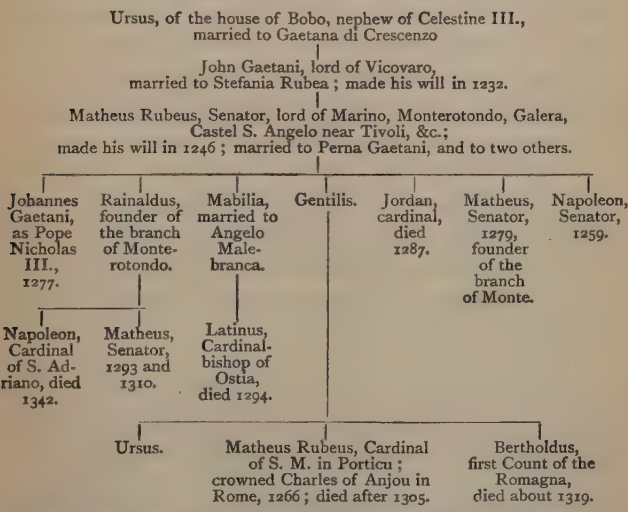
[2] In 1232 he appears as *Comes* of Tivoli. Letter of Gregory IX. to the bishop and clergy of this city. Anagni, September 1, 1232 (Ep., *sæc.* xiii., *Mon. Germ.*, i. n. 481).

[3] *Matheus Russus per Gregor. P. Senator efficitur.* Rich. Sangerm. represents him as entering on the office of Senator in July. I have, however, reason for maintaining that he did so in May. Concerning

If Rome remained faithful to the Pope, it was altogether owing to the indefatigable zeal of the Guelf captain. The danger was great; for the Ghibellines rose on the news of Frederick's victories. Cardinal Colonna, who summoned him to the city, and the ex-Senator Oddo fortified themselves in their palaces in the Baths of Constantine and the Mausoleum of Augustus, which (under the popular name Lagusta) emerges from a long obscurity. From ancient times it had been the centre of the Colonna fortresses in the Field of Mars, to which also belonged the neighbouring Monte Citorio

The Colonna fortress in the Mausoleum of Augustus.

this Senator see Garampi, *B. Chiara da Rimini*, p. 244, and the genealogical tree in Litta :—


Ursus, of the house of Bobo, nephew of Celestine III., married to Gaetana di Crescenzo
John Gaetani, lord of Vicovaro, married to Stefania Rubea; made his will in 1232.
Matheus Rubeus, Senator, lord of Marino, Monterotondo, Galera, Castel S. Angelo near Tivoli, &c.; made his will in 1246; married to Perna Gaetani, and to two others.
Johannes Gaetani, as Pope Nicholas III., 1277.
Rainaldus, founder of the branch of Monte-rotondo.
Mabilia, married to Angelo Male-branca.
Gentilis.
Jordan, cardinal, died 1287.
Matheus, Senator, 1279, founder of the branch of Monte.
Napoleon, Senator, 1259.
Napoleon, Cardinal of S. Adriano, died 1342.
Matheus, Senator, 1293 and 1310.
Latinus, Cardinal-bishop of Ostia, died 1294.
Ursus.
Matheus Rubeus, Cardinal of S. M. in Porticu; crowned Charles of Anjou in Rome, 1266; died after 1305.
Bertholdus, first Count of the Romagna, died about 1319.

Compare with this the genealogical tree drawn up by Wüstenfeld. Pflugk-Harttung, *Iter. Ital.*, Section ii. p. 708.)

(*Mons Acceptorii*).[1] Matthew Rubeus led his troops to the attack of this Mausoleum, where Oddo himself may have been stationed, while the cardinal repaired to Palestrina. From thence he occupied for the Emperor Monticelli, Tivoli, and the Lucanian bridge of the Anio. Frederick was surprised to find so warlike a spirit and such powerful aid in a cardinal.[2] Obeying his summons, he entered Tivoli, which voluntarily opened its gates. His troops laid waste the entire country from Monte Albano to Farfa, and as far as the Latin Mountains. He caused Montefortino, which had been fortified by the Conti, nephews of Gregory IX., to be destroyed, and out of hatred to the Pope had the prisoners hanged. Nothing but a ruined tower here remains as the monument of his revenge. Accompanied by the cardinal he advanced to the Colonna fortress, and towards the end of August was at Grotta Ferrata.[3] From this mountain, where the fourth and fifth Henries and Barbarossa had previously encamped, he determined, either by force or famine, to compel the city to submission. Veiled in the malarial mists of summer it lay but a short distance before him, while his enemy pined away in the burning stillness of August.

The Emperor encamps at Grotta Ferrata.

[1] *Apud Lagustam quam Joh. de Columna firmaverat* — Rich. Sangerm., p. 1047. Petrini, *Mem. di Palestrina*, p. 411, gives a document of February 7, 1252, where the *munitiones Augustæ et Montis Acceptorii* are mentioned as possessions of the Colonna in the city.

[2] Letter to him, probably from Rieti in July: *Hist. Dipl.*, v. 1155.

[3] *Prope Columpnam* is the date of an imperial letter despatched to the podestà of Como on August 22, 1241; Böhmer-Ficker, 3224.

Messengers came hurrying to his camp. The Pope was dead! If it be true that Gregory IX. had almost reached the age of a hundred, then must he have been ripe for death at any hour, at any season of the year; nevertheless his confinement in Rome during the month of August might not unjustly have been regarded as the ultimate cause of his death. The Church called him the victim of the Emperor. The farewell which the indomitable veteran bade the world was like that of a general who dies within his trenches in the face of the enemy. From his deathbed he saw this enemy, with an apostate cardinal, victorious before the gates of Rome. His parting glance rested in the foreground on the overthrow of the State of the Church, in the distance on the ruins of Christian lands, which the Tartars had turned into smoking wildernesses. Gregory IX. breathed his last in the Lateran on August 21, 1241.[1]

Death of Gregory IX., Aug. 21, 1241.

[1] Matt. Paris, p. 574: *fere centenarius . . . fuit calculosus, et valde senex, et caruit balneis, quibus solebat Viterbii confoveri.* Frederick from Grotta Ferrata announced to foreign countries the death of the Pope; saying, in the humour of the time: *ut—vix ultoris Augusti metas excederet, qui Augustum excedere nitebatur* (Petr. de Vin., i. c. 11). The letter is calm and dignified.

4. Frederick II. returns to his Kingdom—Election and immediate Death of Celestine IV.—The Cardinals disperse — The Church remains without a Head — Alliance between Rome, Perugia, and Narni, 1242—The Romans advance against Tivoli; Frederick once more against Rome — Building of Flagellæ — Frederick again in the Latin Mountains—The Saracens destroy Albano—State of the Latin Mountains —Albano — Aricia — The Via Appia — Nemi— Civita Lavinia — Genzano — The House of Gandulfi—Places on the Tusculan side of the Mountain—Grotta Ferrata—Bronze Statues.

To show the world that he had made war with Gregory IX., and not with the Church, the Emperor at once ceased hostilities against Rome. He returned to Apulia in September. Ten cardinals meanwhile remained in the city, perplexed and insecure; these, in order to compel them to the speedy election of a pope, the Senator, as head of the republic, confined in the Septizonium. After tedious disputes between the Gregorians and the Moderates of the Opposition, who counselled submission to the Emperor; after the sufferings of a confinement which resembled an imprisonment, and to which one cardinal fell a victim, Godfrey, a Milanese and Bishop of the Sabina, was elected Pope under the name of Celestine IV. on November 1, 1241. The infirm old man died, however, in the course of seventeen days. The cardinals had probably elected him merely as a provisional Pope.

Death of Celestine IV. after a reign of seventeen days, 1241.

The throne of Peter stood empty, as after the death of Gregory VII.; the Romans were in uproar; the Senator threatened a fresh incarceration. Whether owing to dismay or to a preconceived plan, the object of which was to represent Frederick to the populace as the author of a widespread tumult, the disunited cardinals forsook the Church in her direst need and retired to Anagni or to their fortresses. The consequence was that the sacred chair remained vacant for an unexampled length of time; the Church lacked a head for nearly two years. The Senator Matthew Rubeus placed himself in the breach which the cowardly cardinals had deserted. All the friends of the Papacy rallied round his banner. A successful resistance was made to the Ghibellines. Their chief fortress, the Mausoleum on the Field of Mars, was attacked and destroyed. The populace tore down the palaces of the Colonna, seized and imprisoned the cardinal. For this, the most influential, adherent of the Emperor had come to attend the papal election and had remained even after Celestine IV. had been raised to the vacant chair.[1]

Flight of the cardinals from Rome.

Matthew Rubeus defends Rome.

Matthew Rubeus also acquired allies outside the city; he formed a league with Perugia, Narni, and other Guelf cities, by which the communes were pledged to oppose the Emperor, and to refuse to make peace with him as long as he continued the war against the Church. The deed of alliance was ratified in S. Maria on the Capitol on March 12, 1242.[2] Frederick II. meanwhile made no serious

Alliance between the Guelf cities and Rome, March 1242.

[1] From his prison, *Ann. Pl. Gibell.*, p. 485. Matt. Paris, p. 390.

[2] Document in the Archives of Perugia, *Lib. Sommiss.*, vol. C. fol.

attempt to attack Rome. Half a century earlier any emperor in his position would have taken the city by assault, put forward a pope, and, in his capacity of Patricius, dictated terms of peace. But this Frederick was not able to do. It seems a mistake that he did not resolve on the release of all the prelates taken prisoners in the naval battle, among whom were the two cardinals Jacopo and Oddo. Magnanimity such as this would have given him a greater advantage than could be afforded by the delay of the papal election, which in the end he must necessarily wish to see accomplished, in order that peace might be concluded with the new pope.

In February 1242 he sent messengers to the cardinals assembled in Anagni to press on the election, and caused the two imprisoned in Capua to be brought to Tivoli.[1] He himself would not have returned so promptly to Roman territory had he not

31. They were first made known by Garampi (*B. Chiara*, p. 244); then by Narducci, *La Lega Romana con Perugia e con Narni*, p. 48, from the Archives of Narni, corrected by Giov. d'Eroli (*Miscellanee Narnesi*). It is signed in the first instance by eighty-six, in the second by eighty-four Roman *Consiliarii*. I only give a few: *Homodeus de Trivio, Bened. Tyneosus, D. Johes Fraiapanis, D. Anibaldus, Romanus Johis Judei, Romanus Johis Romani, Petr. Johis Guidonis, Petr. nepos D. Petri Stephani, Petr. Johis Ylperini, Porcarius Jacobi Johis Grassi, Johes Pauli Capudzunca, D. Oddo Petri Gregorii, Gregorius Surdus, Mathias D. Anibaldi, D. Angelus Malebrance, D. Comes Johes Poli, D. Transmundus Petri Anibaldi, Petrus Astalli, D. Bobo Johis Bobonis, Petrus Vulgaminus, Johes Capocie, Petrus Crescentii, Barthol. Cinthii de Crescentio, Petrus Papa, Petr. Magalotti, Petr. Malaspina.* There is no Colonna. Several had formerly been senators. No one signs himself proconsul; several *Dominus* (Don).

[1] In April 1242; Böhmer-Ficker, 3280.

been thereto driven by the Romans. In June 1242 they advanced with force of arms against Tivoli, where the Emperor had left a garrison under Thomas of Montenigro.[1] Frederick promptly entered Marsian territory; he encamped beside the lake of Celano, where, only twenty-six years later, in the person of his grandson, his glorious house was to meet its overthrow. He as little foresaw the fate in store for it, as the young Count Rudolf of Habsburg, who accompanied him to Avezzano, foresaw that on the fall of the Hohenstaufens he was himself destined to wear the imperial crown.[2] In July he marched against Rome, again planted his tents in the Alban Mountains, and by the devastation of the Campagna punished the Romans not only for their hostilities against Tivoli, but also for the violence offered to Cardinal Colonna and other imperialist clergy.[3] But his undertakings were not characterised by energy; in August he crossed the Liris, on the banks of which a year before he had built the new city of Flagellæ opposite Ceprano.[4]

Frederick enters the Abruzzi.

Is again before Rome in July 1242.

In Campania in August.

[1] See Frederick's violent letter to the Romans (Peter de Vineis, ii. c. 8): *vestra dissolvetur Babylon, Damascus deficiet.* He speaks of their attacks on Tivoli. Huillard wrongly attributes the letter to December 1243. On June 14, 1242, the Senator M. Rubeus wrote to the commune of Alatri to send reinforcements to the Romans, who were going to make an attack on the imperialists at Tivoli. Winkelmann, *Acta imp. ined. Reichssachen*, 685.

[2] Rudolf was with the Emperor at Capua in May 1242, whence I conclude that he was also with him a month later at Avezzano.

[3] *Hist. Dipl.*, vi. 95. Letter to France, June 1243, in which these events of the previous summer are described.

[4] *Civitatem nostram Flagelle ad flagellum hostium—fundari providimus* (*Hist. Dipl.*, vi. 51. At the end of May 1242 to his adherents

Christendom saw the Church without a pope; the great spiritual monarchy seemed transformed into an oligarchy; since the spiritual power was exercised by the Curia, composed of a few cardinals resident in Anagni. Several voices were heard accusing it of treachery from motives of avarice and ambition, while the cardinals laid the entire blame upon the Emperor. Embassies entreating and threatening went to him and to the Curia, and Frederick himself urged the cardinals finally to bestow a head on the Church.[1] He again arrived with a large army, passed Ceprano on his way to the Latin Mountains in May 1243, and laid waste the property of the cardinals, while his Saracens even razed Albano to the ground.[2]

Once more before Rome in May 1243.

The lamentable destruction of this episcopal city affords us an opportunity of bestowing a glance on the condition of this mountainous district, where Alba Longa, the legendary mother of Rome, had formerly stood on the shore of her volcanic lake. At the time when Frederick II. encamped upon the Alban heights, nearly all the fortresses which still remain had already been erected. During the decline of the empire, Albano had arisen from the

The Alban Mountains and their fortresses.

in the *Terra Laboris*). Rich. S. Germ., p. 1048. The name is a vulgar corruption of the ancient *Fregellæ*. The new town disappeared very soon.

[1] About May 1242. *Hist. Dipl.*, 44 (*Si super duce*); a second letter somewhere in July (*Ex fervore*), *ibid.*, p. 59. Huillard asserts that the invectives against the cardinals attributed to Frederick, *ad vos est hoc verbum, filii Effrem*, were not written by him: but the letter *Cum papalis*, attributed to Lewis of France, has no greater claim to authenticity.

[2] Matt. Paris, p. 599.

ruins of the celebrated villa, known first as the villa of Pompey and later as that of the emperors (*Albanum Cæsaris*). We have seen the town at an early date the seat of a Lateran bishop, and have frequently spoken of it since the Gothic war. It had neither been acquired by Roman barons, nor, although the Romans had frequently attacked Albano during the twelfth century, and had even once burnt it, had the city succeeded in obtaining possession of the place. In the time of Paschalis II. it was the property of the popes, and Honorius III. had bestowed it on the resident cardinal bishop in 1217.[1] The Savelli family, however, of whom this Pope was the protector, likewise possessed Castel Sabellum and other property close by, and finally at the end of the thirteenth century attained baronial dominion over Albano. Albano.

Little Aricia had also been known in times of remote antiquity as one of the towns of the ancient Latin league, the cradle of Augustus or of his mother Attia, and celebrated for the sanctuary of Diana Aricina. The barbarians destroyed the ancient town, but it reappears as a fortress in the year 990, when Guido of the house of Tusculum ruled there as duke. Paschalis II. bestowed Aricia on the family of these counts in the beginning of the twelfth century, when it passed into the hands of Aricia.

[1] The bull from Ferentino, July 24, 1217, says: *civitatem Albanensem cum burgo, thermis, monte qui dicitur Sol et Luna, Palatio. . . .* Nicholas III. confirmed it on December 18, 1278. Ricci, *Memorie di Albano*, p. 217. The Savelli acquired Albano after the time of Honorius IV.

the Malabranca. Honorius III. recovered it for the Church, in order to bestow it on the relations of his house.[1] The position of Albano and Aricia on the Via Appia gave them but a trifling advantage, for since this celebrated road had become impracticable for armies, the traffic between Naples and Rome had long been carried on from Capua past S. Germano and Ceprano by the Via Latina, or through Marsian territory along the Via Valeria by Alba, Carsoli, and Tivoli. The Appian Way, ruinous and marshy, after having been the military road, and served as such down to Gothic times, was not now even traversed by the crusaders. Pilgrims from the East, having landed at Brindisi and arrived at Capua, followed some other route. The many postal stations, carefully enumerated by the *Itinerarium* of Antoninus and the *Jerusalem Guide* for travellers from Capua to Rome, had long fallen into ruin, or had been destroyed.

Frederick beheld even more ruins of tombs, temples, and villas than we now find on the shores of the Alban lake. The imposing remains of the celebrated Temple of the confederation of Jupiter Latiaris still stood on the summit of the Alban Mountain, but the ancient Mons Albanus had probably already assumed the name of Monte Cavo.[2] The remains

[1] For the cession of the Malabranca see a bull of May 20, 1223, in Lucidi, *Mem. Storiche dell' Aricia* (Rome, 1796), p. 408.

[2] It is mentioned in 1249 (Casimiro, p. 230; Nibby, *Analisi*, i. 73) *dpropos* of the convent of Palazznolo or *S. Maria de Palatiolis—super lacum Albanensem seu in pede Montis Cavæ.* The name is derived from the ancient place *Cabum* on the *Mons Albanus.* The last Stuart, Henry of York, Cardinal-bishop of Frascati, destroyed the

of the Temple of Diana Aricina, or those of the renowned Nemus, the grove of the same goddess in the crater of the lovely violet-wreathed lake on the edge of which Nemi now stands, were still pointed out; for the sanctuary of Diana had become the property of the Church (*Massa Nemus*), after the fall of the Roman empire, and here the counts of Tusculum had in later times built a fortress.[1] Nemi.

Lanuvium, the house of Antoninus Pius, existed in the neighbourhood of Albano, either still in ruins, or as the town of Civita Lavinia, which arose on the remains of her ancient predecessor.[2] Genzano, where the family of Gandulfi afterwards erected a tower, seems to have owed its origin to an ancient *fundus Gentiani*.[3] These nobles, bearing the German name of Gandolf, were, after the Tusculans, the only barons who founded a dominion in this district of the Latin Mountains. They made their home in the ruins of the imperial villa at one side of Albano, Genzano.

remains of the Temple of Jupiter in 1783, when restoring the Passionist monastery.

[1] *Massa Nemus*, mentioned for the first time in the *Lib. Pont.*, "Vita Silvestri," n. 46. In 1153 Anastasius IV. bestowed Nemi on the convent of *S. Anastasius ad Aquas Salvias*, and Lucius III. confirmed the donation in 1183: *in loco qui dicitur Nemo* (Lucidi, p. 313; Ratti, *Storia di Genzano*, p. 94).

[2] In the time of Honorius III. it belonged to the monastery of S. Lorenzo near Rome, while Ardea belonged to S. Paul's (Ratti, p. 47). According to Nibby, *Analisi*, ii. 173, the oldest document with the name of *Civitas Labiniæ* dates from the year 1358. Nerini, *Stor. di S. Alessio*, p. 526.

[3] In a document of *sæc.* xi. we find, *Castello, qui vocatur Genezano. Reg. Sublacense* (Rome, 1885), p. 72.

and built a fortress which still bears their name.[1] They appear as a baronial family, consisting of numerous members, in the beginning of the thirteenth century, but disappeared at the close of the same century, when the Savelli took possession of Castel Gandolfo. After the time of Urban VIII., the ancient *Turris Gandulphorum* was converted into the well-known papal villa, the only country house which the Pope now possesses in the Roman Mountains.[2]

Castel Gandolfo.

After the time of Honorius III. the Savelli also acquired several estates round the lakes of Albano and Nemi, while, on the other side of the same mountain, the Colonna, the heirs of the Tusculans, had long owned fortresses and property. Besides their ancestral stronghold of Colonna, Monte Porzio also belonged to them. Some ancient and renowned fortresses commanding the valley which divides the Latin Mountains, which had formerly been held by

[1] As early as 1178 an Act is signed . . . *de Candulfo* (the baptismal name is absent). *Studi e doc. per la storia eccl. e civili di Roma*, 1886, n. xxvii.

[2] On January 4, 1218, *Petr. et Nicol Candulphi fili qd. Angeli de Cand., et Rusticus fil. qd. Cencii de Cand.* renounce the compensation for the injuries inflicted in the war between the Roman people and the Church in the time of Alexander III. In this document we read : *de turri nostra de Gentiano nobis diruta* (Ratti, p. 99). On October 6, 1244, Simon de Cand. and his brother Paul ceded to the Abbot of *S. M. in Palatiolis* Toffellum near *Lacus Albani. . . . Act. in castro Candulfor. in palatio curie dicti D. Simonis* (Lateran parchment in the Archives of Florence, *Roccettini de Fiesole*). According to Ughelli, i. 266, the Savelli owned Gandolfo as early as 1282. In Rome we find the epitaph of *D. Paula Filia Johis Gandulphi de Gandulphinis* of Aracoeli, in the year 1360, Galletti, *Inscript.*, iii. 407.

the counts of Tusculum, still survived. Such were on the celebrated mountain consecrated to Diana; Algidus—now a heap of ruins—and Molara, the ancient Roboraria, which came into the possession of the Anibaldi in the thirteenth century, and whose name still exists in a Massaria.[1] In the time of Frederick II., Tusculum had already lain in ruins for fifty years, and its former inhabitants had removed to other ancient places such as Rocca di Papa, which is mentioned as early as the time of Lucius III., and Rocca Priora (*Arx Perjuræ*), Monte Compatri, or Frascati, and Marino.[2] Tusculum.

While Colonna, Anibaldi, and Orsini took possession of the Tusculan side of the mountain, Grotta Ferrata, the Greek monastery of S. Nilus, flourished as one of the most important abbeys in Roman territory. The dominion of the Basilian monks Grotta Ferrata.

[1] Tommassetti, *Campagna Romana.* Also *della Soc. R.*, vol. ix. 411 ff., shows that it is difficult to identify the *Mons Algidus* with accuracy. The fortress of this name stood below in the Latin plain, and the name is still recalled by the *cava dell' Aglio;* Tommassetti places the fortress *Laviano* (*ara Dianæ?*), which belonged to Velletri, and which was called *il maschio di Velletri*, on the mountain itself.

[2] Marino was a castrum as early as 1249 (Casimiro, *Mem. delle Chiese, &c.*, p. 230). Until 1266 it belonged to Joh. Frangipane de Septemsoliis, son of Gratian, as a fief of the convent of S. Saba in Rome, and also of the abbey of Grotta Ferrata. Cardinal John Gaetani (Nicholas III.), as Procurator of S. Saba, sold it to his nephew, Cardinal Matt. Rubeus Orsini, for 13,000 pounds: *Castr. Marini et Turris ipsius cum tenimento suo.* The beautiful parchment deed in the *Gaetani Archives*, cap. 36, n. 39, was executed in Viterbo.—On December 16, 1266, Cardinal Matheus sold half of Marino to his uncles Jordan, Reinald, and Matheus, sons of the celebrated Senator. Original, *ibid.*, 48, n. 6. The Orsini thus attained possession of Marino.

extended over a great part of the mountains and over the Pontine marshes as far as Nettuno. They hunted to provide game for their table, and fished for pike, sturgeon, and lamprey in the lake of Fogliano, in the lake of Turnus of Ardea, in the pond of Ostia, and in the Tiber up to the Marmorata.[1] On the smiling slopes of Monte Cavo Frederick repeatedly erected his camp. His inquisitive glance detected two bronze statues, the figures of a man and of a cow, which served as the decorations of a well in the monastery. Both these antiquities, relics from ancient villas, he removed as spoils of war in order to embellish his Saracen colony of Luceria with Roman trophies.[2]

[1] Bull of Gregory IX., July 2, 1233, Lateran (Lucidi, *Ariccia*, p. 423), mentions *Lacum Turni*. This still exists near Castell Romano on the road to Ardea. The *Lib. Pont.*, "Vita Silv.," n. 30, already says that Constantine presented it to the church of Albano.—*Duos sandalos, ad piscandum in Lacu Folianensi, medietatem totius Stagni Hostiensis cum piscatione et aucupatione avium — Piscariam ad capiendos sturiones in Flumine Tyberis secus Ripam Romeam.*

[2] In the summer of 1242, as Richard Sangermano, p. 1048, tells us: . . . *Statuam hominis æream, et vaccam æream similiter.* Frederick II. was the first founder of collections of antiquities.

CHAPTER VI.

1. SINIBALD FIESCHI ELECTED POPE AS INNOCENT IV., 1243—NEGOTIATIONS FOR PEACE—THE POPE COMES TO ROME—VITERBO ABANDONS THE EMPEROR, WHO IS DRIVEN BACK FROM THE CITY—ANIBALDI AND NAPOLEON ORSINI, SENATORS—PRELIMINARY PEACE IN ROME—IT IS REFUSED BY THE EMPEROR—FLIGHT OF THE POPE TO GENOA, 1244.

THE Emperor held Rome besieged for some weeks, until the cardinals besought him to put an end to his devastations, as they wished to proceed with the papal election. He had released Cardinal Oddo as early as August of the preceding year; in May he set free Jacopo of Praeneste, as well as several other prelates who had been imprisoned, and returned to the kingdom in the middle of June, in order to await the result of the election.[1] The election, however, we are led to believe, had already been arranged between him and the cardinals. The Cardinal of S. Lorenzo in Lucina was finally proclaimed Pope in Anagni on June 25, 1243. Sinibald Fieschi belonged to the Genoese house of the counts of Lavagna, who, invested with feudal titles by the Emperor, were regarded as nobles of the empire. Although he had

Innocent IV., Pope, 1243–1254.

[1] See the letter to the King of France. Böhmer-Ficker, 3366.

failed to distinguish himself in the political affairs of the Church, the new Pope was considered one of the first jurists of his time. The recollection of the unfortunate battle at sea on May 3 was the true cause of the election of Innocent IV.—a Fieschi—to the Papacy. Amends were thus made to Genoa, while Innocent received a powerful support in the naval strength of his ancestral city. As cardinal he had been on friendly terms with Frederick, who had honoured in him a prelate disposed to reconciliation, and who therefore could hardly be suspicious of his elevation. The election was in every respect a master-stroke, and reflects great honour on the insight of the cardinals. If it be true that, on receiving the news of Sinibald's election, the Emperor exclaimed, "I have lost a good friend among the cardinals, since no pope can be a Ghibelline," the words show that he rightly foresaw the future; if a fabrication, they admirably serve to depict a historical fact.[1]

The Emperor congratulates the Pope.

Exhausted by his long military undertakings, Frederick was desirous of a reconciliation with the Church; more especially since his designs were shattered by the firm demeanour of Rome. He hastened to congratulate the new Pope, and expressed the hope that Innocent IV., his true friend, now his father, would adjust the tedious quarrel. He sent the Admiral Ansaldo da Mare, and his chief judges, Peter and Thaddaeus, to Anagni, while at the

[1] *Quia nullus Papa potest esse Gibellinus.* Galvaneus Flamma, c. 276. Innocent III. also might have said on the election of Otto IV.: *Nullus Imperator potest esse Guelfus.*

same time he received envoys of peace from the Pope.

After his consecration on June 28, Innocent IV. continued to remain in Anagni, since here he was close to the Emperor, with whom he was engaged in active negotiations. Not until the hot season was over did he come to Rome (on October 16, 1243), where Matthew Rubeus still remained Senator.[1] The Romans regarded the new Pope with curiosity and eager expectation. But he did not trust them, seeing that during the long vacancy of the sacred chair, and while Matthew Rubeus ruled the republic like a prince, they must necessarily have grown accustomed to independence; and scarcely had he entered the Lateran, when his repose was interrupted by the urgency of creditors, who demanded the payment of a loan of forty thousand marks made to his predecessor. Swarms of Roman merchants filled the papal aula with shouts—a curious spectacle for the newly-entered Pope, who, knowing not how to escape from his creditors, was obliged to hide himself in his room until he had satisfied their demands.[2]

Innocent enters Rome, Oct. 24, 1243.

[1] Nicol. de Curbio, *Vita Inn. IV.*, c. 7: *XVII. Kal. Nov. exiens de Anagnia, Romam ivit—cum tripudii guadio est receptus XVII. Kal. Dec.* The 15th December, which Cherrier also accepts as the date of the return, is incorrect. Innocent dates from the Lateran as early as October 20 (Elie Berger, *Les Registres d'Innocent IV.*, Paris, 1881, i. 200).

[2] Scene in the palace vividly described by Nicol. de Curbio: *mercatores—procaciter mutuum repetebant, aulam palatii—infestis clamoribus—replentes—ipsum oportebat in camera latitare* (c. 7). The Pope sought refuge in *patientia, que optimum est genus vincendi*, as his biographer says like a genuine Italian.

Innocent had been specially summoned to Rome by an event which threatened to overthrow the negotiations for peace. After the year 1240, the Emperor had become master of Viterbo; the burghers of this city, who, out of hatred to the Romans, had surrendered themselves into his hands, voluntarily served in the two sieges of Rome, as, inspired by a similar hatred, they had formerly served under Barbarossa's banner. In July 1242 they had pushed to the immediate neighbourhood of the city, where they destroyed the fortress of Longhezza; in June 1243 they again appeased their thirst for revenge on the Campagna.[1] The election of the Pope united the now exhausted Guelfs under a new head, who also inspired the adherents of the Church in Viterbo with fresh courage. Frederick had built an imperial palace in the town, which threatened the citizens with a permanent oppression. His captain, Simon, Count of Chieti, repressed the party which opposed him with severity and filled the dungeons with prisoners. The Viterbese consequently demanded the recall of the captain, while at the same time the leader of the Guelfs, Rainer, a member of the house of Gatti, silently collected conspirators around him. He held negotiations with Rainer Capocci, the cardinal, who was legate in Tuscany, where Frederick had annexed all the papal property to the empire and placed it under the administration of Count Richard of Caserta.

[1] Longhezza, on the Via Tiburtina, near the Anio, built on the ruins of Collatia, appears for the first time as *castellum quod vocatur Longhezzæ anno* 1074 in a bull of Gregory VII. Nibby, *Analisi.*

Viterbo, weary of the rule of the Emperor, raised the Guelf cry: "The Church! The Church!" in August 1243. The conspirators summoned Cardinal Rainer from Sutri and the Count Palatine William of Tuscany, and opened the gates to them on September 9, when Count Simon was surrounded and besieged within the fortress of S. Lorenzo. Rainer, the same energetic cardinal who, with the Emperor a few years before, had defended Viterbo against the Romans, received the oath of homage in the name of the Church and concluded an alliance with the republic of Rome.[1]

Viterbo renounces the cause of the Emperor, 1243.

Simon and his companions, besieged within the fortress, urgently appealed to Richard of Caserta and to Frederick himself for relief. The Emperor came promptly on October 8 and besieged the important town, where Count Simon was reduced to the last extremity. After some deliberation Innocent IV. had approved of the rebellion in Viterbo; he sent money to his enterprising cardinal, implored the Romans to go to the aid of the Viterbese, exhorted the Viterbese to endurance, and collected troops.[2] Thus, while negotiations for peace were

The Emperor before Viterbo, Oct. 1245.

[1] Tineosus, a knight of Viterbo, informed Frederick of the treason of the city in September (*Hist. Dipl.*, vi. 125, which also gives other letters from the besieged). Petr. de Vin., ii. 55; Matt. Paris, p. 607; Rich. Sangerm., *ad A.* 1243; Nicol. de Curbio, c. 8. Frederick's manifesto of 1244. A more detailed account is given by one of Rainer's household, *Cod. Palat.*, 953, fol. 56. Frederick's adherents in Viterbo declared enemies of the Church by Rainer, September 15, 1243, Pinzi, i. 391.

[2] The Pope's letter, Anagni, October 7; Raynald, n. 26, A. 1243; Potthast, 11,153; to the Viterbese, Lateran, October 22, *Cod. Palat.*,

still pending, the Pope already found himself again at war with the Emperor. The fact was that the recovery of a city was at stake, a city which lay within the boundaries—as recognised by treaty—of the State of the Church, and whose right to reunite herself with the Church was uncontested. The Romans, formerly the fierce enemies, now the allies, of Viterbo, readily set forth in the hope of acquiring spoil, while the Emperor, strengthened by a reinforcement of 6000 men, raised by Pandolf of Fasanella in Tuscany, energetically attacked the rebellious city. The siege of Viterbo forms a memorable episode in the history of Rome in the Middle Ages. A little Tuscan commune, defended by a mail-clad cardinal, covered itself, like Brescia, with military glory. The attack was repulsed, and an adroit sortie on November 10, when the besieging engines were burnt, involved Frederick himself in danger and forced him to leave the place. The great Emperor sullenly shut himself within his tent; he acceded to the proposals which Cardinal Oddo—a man who had formerly been his prisoner and who while in custody had acquired his esteem—brought to his camp in the name of the Pope. He raised the siege. In conformity with the conditions, Count Simon was accorded a free retreat on November 13; but while in the act of withdrawal he and his adherents were faithlessly slaughtered. The amnesty

He besieges Viterbo in vain,

953, fol. 33, in which he says, that he had moved the hearts o the Romans to come to their aid—*et ut hoc cum celeritate proveniat campana capitolii sine remissione pulsatur.* Help was coming from the Campagna.

promised to the Ghibellines in Viterbo was not respected; on the Emperor's retreat, the Romans, who remained in an equivocal attitude at Sutri, fell on Ronciglione, took the fortress of Vico, seized Count Pandolf and sent him a prisoner to Rome. The Emperor lamented the breach of the treaty, without being able to punish it.[1] His fortune changed before the walls of Viterbo. His inglorious retreat into Pisan territory at the end of the year diminished his prestige, and inclined other cities to hoist the Guelf standard.

and withdraws from the city.

The fall of Viterbo, a humiliation for Frederick, which, according to his own confession, "painfully touched his heart-strings," did not nevertheless disturb the progress of negotiations; on the contrary, it was from regard for the peace that the Emperor had left the place. The Pope now treated him as a defeated man. The conditions which he imposed on the Emperor as the price of his absolution were humiliating, and inflicted on him an unworthy and crushing penance, since they obliged him to lay down his arms in sight of the Lombards like a beaten man, even before he had himself adequately secured his rights and been released from the ban. He regarded the State of the Church, which he occupied and administered by means of vicars, as his own country by right of conquest, owing

[1] His letter or complaint to the kings, of December (Petr. de Vin., ii. c. 2), describes the treason of the Viterbese and the Romans; and in his manifesto of 1244 he accuses the Pope of being accessory to it. The *Chronicle* of Nicola della Tuccia is full of interesting details.

to the war which Gregory IX. had provoked. The empire had again annexed the estates formerly presented to the Church, since the popes had only repaid these voluntary donations with ingratitude. He would nevertheless restore them again, and then hold them as fiefs for which the Church should pay him rent. When Innocent IV. refused to invest the Emperor with the State of the Church itself, Frederick renounced his claim; and merely desired to retain certain crown rights. In March 1244, after he had gone to Acquapendente, terms were agreed upon in Rome, where the Emperor Baldwin of Byzantium, who had come to implore protection, zealously exerted himself to effect peace. The imperial envoys submitted to highly unfavourable terms; for they promised to restore the State of the Church in its entirety; to recognise the spiritual power of the Pope over all princes, and to pardon all the papal adherents, although the date of the absolution was not fixed. This absolution was desired above all things by Frederick; the stiff-necked Pope had made it dependent on the fulfilment of these conditions. On March 31, 1244, the envoys Raymond, Count of Toulouse, Peter de Vineis, and Thaddeus of Suessa swore in the name of their master to the preliminary peace in the Lateran, in presence of the Emperor Baldwin, the Senators Anibale degli Anibaldi and Napoleon Orsini, and of the Roman people. The result had been so little expected that the Pope caused the articles of the treaty to be immediately transcribed and publicly sold as pamphlets in the Lateran for six denarii, a

The Emperor accepts the conditions of peace proposed by the Pope, March 1244.

proceeding which roused the Emperor's bitter indignation.[1]

The sentence of the Church, and even the voice of the Englishman Matthew Paris (a historian certainly not favourable to the policy of the Papacy in his time), has declared that the Emperor immediately violated the treaty.[2] The reproach, however, was unfounded. Frederick made a great mistake in submitting to conditions which he could not fulfil without renouncing the imperial dignity. When he saw that the Pope astutely strove to evade the definite meaning of indefinite articles (which could only serve as the basis of a formula to be exactly determined), he delayed the fulfilment of the treaty and held the State of the Church as pledge. The Pope did not seriously desire a peace; he cherished but one thought, that of reducing his adversary to submission by a Council, which could not, however, be assembled in Italy. The chief obstacle to reconciliation still remained the relation of the empire to Lombardy, of which only indefinite mention respecting a proposed amnesty had been made in the articles. Frederick did not wish definitely to agree to the stipulated preliminary peace, which would have obliged him to surrender himself uncondition-

He violates the treaty.

[1] Concerning the long negotiations from August 1243 onwards, see *Mon. Germ.*, iv. 341–354. Nicholas de Curbio, c. 10.

[2] In his letter of April 30 the Pope says: *non post multos dies elegit resilire potius quam parere, adimplere quod sibi mandavimus, renuendo.*—Matt. Paris, p. 427: *a forma jurata resilivit.* Raumer and Huillard give their opinion concerning his right, and Ficker in Böhmer's *Reg.*, p. 604, says that the absence of the necessary desire for peace cannot be laid to the Emperor's charge.

ally to the Pope and the Lombards. He would not release the Lombard prisoners until the cities had taken the oath of homage and had renounced the treaty of Constance. He demanded absolution from the ban, and the Pope refused to accord it, until the last fortress had been surrendered to the State of the Church and until the league of Lombard cities was included in the peace.

Rome itself afforded him ground for suspicion. Although the Emperor had announced that he would leave the settlement of the dispute with the Romans to the Pope, he was known to be in correspondence with the Ghibellines in the city and was accused of secretly inciting them to revolt.[1] He tried to establish a footing in Rome and to gain possession of the Frangipani fortress in the Colosseum. At Acquapendente in April 1244 he persuaded the Lateran Count Palatine Henry Frangipane and his son Jacopo to cede him the half of the amphitheatre with the adjoining palace by deed of exchange. The Pope, however, forthwith pronounced the agreement null and void, since the rights which the Frangipani possessed over the Colosseum, and which had been mortgaged to them by the Roman Anibaldo, were held in fief from the Church.[2] At

[1] See a dissuasive letter to Frederick from a cardinal. (*Hist. Dipl.*, p. 184): vi. p. 186, Frederick's letter to the Pope, in which he refutes the accusation. Cardinal Colonna, the friend of the Emperor, died in Rome in 1244. *Obiit vas superbiæ et omnis contumeliæ. Qui inter omnes Card. in possessionib. sæcularib. claruit potentissimus: unde efficaciss. discordiæ inter Imp. et Papam seminator. exstitit.* Matt. Paris, p. 614.

[2] Brief, Lateran, April 16, 1244, to H. Frangipani and his son

the same time, he compelled the Prefect to acknowledge the papal investiture. For the Emperor had also prevailed on this official to receive investiture at his hands, and had thus attempted to make the city prefecture once more a fief of the empire; while he refused to acknowledge the right, acquired by Innocent III. for the Church, of appointing the Prefect of the city.[1] In every way the Pope demanded Frederick's entire renunciation of the right of the empire, and return to the principles enunciated at Neuss and Eger. If Innocent IV. did not trust his rival, the Emperor on his side regarded the Pope with no less suspicion. Meanwhile he made him fresh offers and invited him to an interview at Narni. The Pope ostensibly gave him a hearing; but he had long previously been occupied with a subtle scheme. On May 28 he appointed ten new cardinals to strengthen the sacred college, and on June 7 went to the strongly fortified town of Civita Castellana. Here he continued the negotiations, appointing Cardinal Oddo of Portus his pleni-

The Emperor bestows the investiture on the Prefect of the city.

Jacopo: *medietatem Colisei cum palatio exteriori ei adjacente et omnibus juribus ad ipsam med. pertinentibus, Anibaldo civi Rom. titulo pignoris obligata, quæ ab E. R. tenebant in feudum—Hist. Dipl.*, vi. 187; Potthast, 11,335. Innocent revoked the concession made by the Frangipani to the Emperor on April 19, 1244. E. Berger, *Les Registr. d'Innoc. IV.*, i. 620.

[1] *Petrus alme urbis pref., comes Anguillariæ*—signs (at Acquapendente, March 1244) a diploma as a courtier of the Emperor (*Hist. Dipl.*, vi. 166). It consequently follows that his predecessor John (probably his brother) was dead. In his manifesto Frederick charges the Pope: *procuravit—qualiter terra quam tenemus—ante pacis adventum averteretur a nobis—recipiens prefectum et quosdam sequaces suos cum terris eorum, qui omni temp. imperii fuit et dignitatem ab eo recepit, et de quo nunq. quæstio fuit per Eccl. nobis relata.*

potentiary on June 9. But privately he sent letters to Philip Vicedomini, Podestà of Genoa. He remained nineteen days at Civita Castellana.[1] While he exchanged embassies with the Emperor, a Genoese fleet, accompanied by three Fieschi, cousins of the Pope, set sail and came to anchor off Civita Vecchia on June 27. At Sutri, whither he had gone the same day, Innocent learnt both of the arrival of the vessels and of the approach of three hundred cavalry, an unfounded report, which had been invented on purpose. On the night of June 28 flight was resolved upon. Innocent IV. again became Count Sinibald. He donned his weapons, mounted his horse, and, accompanied by some faithful adherents (among whom was Nicholas de Curbio, his biographer) and by Cardinal William Fieschi and several other relatives, pursued his way like a knight over pathless country until he reached Civita Vecchia and the Genoese fleet in the morning. The next day five more cardinals, who had been unable to keep pace with their active master, also arrived at the port.[2] Seven others fled in disguise to Genoa by land. Innocent left three more behind: he appointed Cardinal Stephen of S. Maria in Trastevere his vicar in Rome. Rainer remained legate

Innocent IV. in Civita Castellana.

He flies to Genoa, June 1244.

[1] He thence dated a bull as early as June 9 (E. Berger, i. 736); on June 21 a privilegium for *S. Pancratio in comitatu Rosellano dioc. Grosseti.* This bull, signed by twelve cardinals, is preserved in the State Archives of Naples, *Bullarium*, vol. ii.

[2] Nichol. de Curbio, c. 13. The Pope left everyone behind: *per devia et abrupta montium, ac nemora tota nocte laborans.—Veterem induit Senebaldum, et leviter armatus equum ascendit velocissimum, manu non vacua*, thus Matt. Paris, p. 431.

in Tuscany, Spoleto, and the Marches, and Richard of S. Angelo rector of the Campagna and Maritima.

On June 29, the festival of the Prince of the Apostles, he sailed from Civita Vecchia. The same day Frederick's envoys, the Emperor Baldwin, the Count of Toulouse, and the chief justices Peter and Thaddeus, brought the acceptance of the proposals of the Curia to Civita Castellana, where they learnt of the Pope's flight.[1] The voyage of the fugitive was rendered anxious by storms and dread of the imperial admiral, Ansaldo da Mare, who cruised in these waters; and had accident brought him across the Genoese fleet, the scene of May 3 would have been repeated on a larger scale. The papal party were obliged to seek refuge on the island of Capraja, off Corsica. On July 4 they were forced to land at Porto Venere to allow the exhausted Pope to rest, after which the vessels of the republic, adorned with flags and purple hangings, happily reached their port on July 7. The Genoese received their compatriot Fieschi, the Pope who had escaped from the toils of his great enemy, with the ringing of bells and with solemn choruses, and the cardinals, intoxicated with joy, sang as they stepped ashore the verse of the psalmist, "Our soul is escaped as a bird the snare of the fowler, the net is broken and we are free."

His entry into Genoa, July 7, 1241.

[1] Böhmer-Ficker, 3432 a.

2. Innocent assembles a Council at Lyons, 1245—Deposition of the Emperor—Consequences of the Sentence — Frederick's Appeal to the Princes of Europe — Counter Manifesto of the Pope — Public Opinion in Europe — The Emperor's wishes — Innocent IV. resolves on War to the Death against the House of Hohenstaufen.

The flight of the Pope was a master-stroke, by which the action of the great drama was diverted in his favour. Frederick was represented as a persecutor, Innocent as a martyr, while at the same time the fortunate audacity of the Pope caused him to appear a man of energy. The act made a profound impression on the world and diminished Frederick's prestige more than the loss of important battles would have done. The dismayed Emperor sent the Count of Toulouse to Genoa to invite the fugitive to return and make peace: in a lengthy manifesto he represented to mankind the events which had taken place, and the negotiations between Innocent and himself up to the moment of the Pope's flight;[1] he saw himself again at war with the Church, and in a worse position than before. Innocent now filled the place of Gregory IX., a dishonest and cunning enemy, the place of a vehement but honest one.

Frederick II.'s manifesto.

Innocent remained three months in the monastery

[1] Peter de Vineis, i. c. 3; *Hist. Dipl.*, vi. 205 f. The Emperor was still at Terni on July 7; he then went to Pisa and was still there on August 27.

of S. Andrea near Genoa, then went to France to seek an asylum like his predecessors. On December 2, after suffering tedious hardships, he reached Lyons. This flourishing city, under the authority of the empire it is true, but still a free commune, offered him adequate security. The happiness of affording shelter to the Roman Curia was undoubtedly a costly and dubious privilege. Innocent, who desired to obtain a reception in the dominions of a powerful monarch, received polite intimations from England, Aragon, and even France, begging him to spare them the honour. He therefore remained at Lyons. On January 3, 1245, he convoked a Council, to which he invited the Emperor, although not in legal form.

The Council of Lyons, 1245.

Only 140 prelates, the greater number from France and already benighted Spain, as even Frederick's accusers themselves admitted, scarcely any from Germany, assembled at Lyons in June. This Council, representing as it did only the Neo-Latin peoples, could scarcely be called œcumenical. It was opened on June 26. The celebrated jurist, Thaddaeus of Suessa, defended his sovereign with dignity and eloquence. He demanded a respite, which was conceded, but was too short. The Emperor, who was at Verona, sent fresh messengers, but their arrival was not awaited. On July 17 the excommunication was again pronounced, and the great Emperor was declared deposed. The sentence was hurriedly read to the astounded assembly in the presence of the Pope, and the trial altogether lacked the legal form of citation, the establishment of the charge by evidence, and an adequate opportunity

The Emperor is deposed at the Council on July 17, 1245.

for defence. The advocate of the Emperor, who had already appealed to the future Pope and to a general Council of kings, princes, and prelates, hearing the calamitous sentence, beat his breast in despair; he protested and departed.[1]

The decree of Lyons was one of the most ominous events of universal history; its fatal effects overthrew the ancient German empire; while at the same time the Church was struck to the heart by the thunderbolt she herself had hurled. The deposition of the Emperor now produced a rival monarchy, without Frederick II. being able to make war on the Papacy as Henry IV. and his successors had formerly done with the weapon of the schism. The question was no longer one of supplanting an ecclesiastical pope by means of an imperial pope, but rather that of repressing in the Pope the spiritual authority which, increased beyond bounds, had destroyed the balance of power, and of delivering the secular authority from his despotism.

Frederick appeals to the princes of Europe.

Frederick summoned all the princes of Europe to his aid. His memorable manifesto ran as follows:—"Men to whom the misfortunes of others served as a salutary warning were called fortunate by the ancients. The predecessor prepares the fortunes of the successor, and as the seal stamps its impress on the wax, so

[1] *Hist. Dipl.*, vi. 318; Matt. Paris, p. 451: *sententiam—in pleno Concilio, non sine omnium audientium—horrore terribiliter fulguravit*, and Paris shows himself hostile to Frederick after the death of Gregory IX. Worthy of note are the instructions for the College of Cardinals in Höfler, Albert von Beham's notebook, n. 4 and 5, where also are given Frederick's letters of complaint and the defence of Innocent IV.

does example stamp the moral life. Would that other injured princes had placed such a necessary example before me as I, your Christian King, bequeath to you. Those who now call themselves priests oppress the sons of those fathers on whose alms they fattened. They themselves, the sons of our subjects, forget what their fathers are, and as soon as they have attained the apostolic dignity, honour neither Emperor nor King. Innocent's pretensions bear witness to this. After having convoked what he calls a general council, without any citation, without any proof of guilt, he has presumed to declare me deposed, and has thereby committed an immeasurable offence against all kings. What can you as individual kings not expect from the audacity of this prince-priest, when he, who possesses no judicial authority over me in temporal matters, ventures to depose me; me, who by the solemn election of princes, and with the consent of the entire (and then upright) Church, have been crowned with the imperial diadem. But I am not the first, nor shall I be the last, whom the abuse of the sacerdotal power seeks to hurl from the throne. And you are participators in the guilt, because you obey that hypocrite, whose thirst for power all the waters of Jordan could not wash away. If your credulous simplicity were not ensnared by the hypocrisy of these Scribes and Pharisees, you would recognise and shun the hideous vices of the Curia—vices of which a sense of shame forbids us to speak. They extort, as you well know, great revenues from several kingdoms. This is the source of their insane

arrogance. They beg among you, you Christians, in order that heretics may revel among them, and you pull down the houses of your friends in order to build cities to the enemy. Do not believe, however, that the sentence of the Pope can bend my lofty spirit. My conscience is clean; God is with me. I call him to witness: it has always been my desire to lead back the priests of every class, especially those in high position, to the apostolic life, to the humility of our Lord, and to the system of the pure primitive Church. For at that time the clergy were accustomed to look upward to the angels, were distinguished by miracles, by healing the sick, by restoring the dead, and by reducing princes and kings to submission, not by power of arms, but by a holy life. But these priests who serve the world, who are intoxicated with sensuality, despise God, because their religion has been drowned in the deluge of wealth. To deprive such men of their pernicious possessions, to remove the burthen of their condemnation, is in truth a work of love, and to this end we and all other powers should diligently lay our hand, in order that the clergy should be deprived of all superfluity and, content with modest possessions, should conform to the service of God."

The grave accusations of the Emperor were

[1] *Sane redditus copiosi, quibus ex plurium depauperatione regnorum ditantur — ipsos faciunt insanire — Semper fuit nostre voluntatis intentio, clericos—ad illum statum reducere—quales fuerunt in ecclesia primitiva, apostolicam vitam ducentes. . . . Hist. Dipl.*, vi. 291, February 1246. See also Frederick's letter to the English nobles, *Etsi caussæ nostræ*, Turin, July 31, 1245 (Peter de Vineis, i. c. 3, and Matt. Paris, p. 722).

answered by the Pope with the most extravagant theories in support of his authority to judge emperors and kings. For this was the essence of the papal scheme—to establish once for all, as an incontrovertible right, the doctrine of the Church, which earlier events had already shown to be practicable, namely, that the pope had received authority from Christ to judge kings. Innocent IV. consequently maintained that the pope was legate-general of Christ, who had entrusted him with full powers to act as judge over the earth; that Constantine had ceded the illegitimate tyranny of the empire to the Church, that he had then only received the legal authority back in fief, that both swords belonged to the Church, which consigned the temporal to be used in her service to the Emperor on his coronation. He asserted that, according to ancient usage, the Emperor should render the oath of subjection to the Pope, from whom, as his over lord, he received title and crown. "The Emperor," he wrote, "reviles the Church because the miraculous powers of primitive times are no longer conspicuous, because, according to the prophecies of David, her seed is mighty on the earth, and her priests distinguished by honours and wealth. We ourselves prefer poverty in the spirit, which it is difficult to preserve in the superabundance of wealth; but we protest that not the use, but the abuse, of wealth is sinful."[1] This letter

Reply of Innocent IV., and theories of the papal power.

[1] *J. Christus—in Ap. Sede non solum pontificalem sed et regalem constituit monarchiam, b. Petro eiusq. successorib. terreni simul ac celestis imp. commissis habenis.* The popes even believed that they were judges over the angels, in accordance with the saying of Paul:

is the most important document of the views of the mediæval priesthood concerning the papal office. Innocent IV. therewith openly did away with the balance of spiritual and secular authority, and point blank demanded the union of the two powers for the sacred chair. Had the kings of Europe now made Frederick's cause their own, they would not later have had to fight for centuries against principles so exorbitant and so fatal to all liberty.

Contemporary society not sufficiently advanced to receive the Ghibelline principle of civilisation.

The spiritual life of the West at this period was divided between monasticism and chivalry, between feudal despotism and servitude, between credulous fanaticism and heretical freethought, between the active labour of the citizen and silent intellectual research; innumerable tendencies, rights, privileges, states within the state, broke it up, as it were, into various castes. Monarchy, which united and created nationalities, had not developed beyond its first beginnings. In the confused web of hostile party aims, national impulses, civic individualities and feudal lordships, the Church stood as a firm, many-sided, but infinitely simple system, embracing all Christian peoples in her uniform hierarchy, her dogmas and canon laws, with Rome for her centre and the Pope for her uncontested head. The Church, the imperium of souls, assumed the place of the empire. Kings and countries were tributary

an nescitis, quod angelos judicabimus. (In the same letter)—(*Romanor. princeps*) *Romano pont., a quo imp. honorem et diadema consequitur, fidelitatis et subjectionis vinculo se astringit.* Höfler, *Albert von Beham*, n. 8; the letter *Agni sponsa* (Höfler, *Friedrich II.*, p. 413), in which Innocent tries to defend the Church from the reproach of wealth, is so wordy, that I do not believe it genuine.

to the Pope. His tribunal, as also his customs house, stood in every province, and the collective episcopacy recognised his supremacy. The very princes to whom Frederick II. had appealed against the attacks of the priesthood on the civil power, were appealed to by the Pope to place themselves under the banner of the Church, which defended the liberty of kings and nations against the tyrannical aims of the Hohenstaufens; and the world consoled itself for the abuse of the papal power with the thought, that she at least found therein a tribunal to which emperors and kings were responsible. The world acknowledged this juridical authority in the Pope; it merely sympathised with Frederick's complaints concerning the avarice of the clergy, which drained its wealth. These complaints were not new. All contemporaries, bishops, princes, historians, poets are full of them.[1] The Roman Curia required money for its increased wants, and the Pope required it to carry on his wars. Christian countries were consequently laid under contributions to provide funds

[1] Walter von der Vogelweide scourges these vices in several of his poems. One of his songs anticipates Dante's celebrated invective, *Ahi Costantino, di quanto mal fu matre. . . .* He says of the priests:—

Bethink ye that of old they received alms for God's sake; then did the King Constantine first give to them possessions.
Had he known of the evil that should come therefrom, right well had he provided against the kingdom's trouble.
But then they were still chaste men, and not filled with arrogance.
—Song 10; Simrock's edition.

Equally violent are the invectives of the troubadours; Brinckmeier, *Rügelieder der Troubadours gegen Rom und die Hierarchie*, Halle, 1846.

National movements in England and France against the power of the priesthood.

for the Church. The English would have revolted against the Pope, had they found any support in their feeble king.[1] Frederick's summons evoked a still louder echo in France, where several barons formed a league of defence against the attacks of the clergy on their secular rights. The foremost nobles, among them the Duke of Burgundy and the Count of Bretagne, declared in the articles of the league that the realm of France "had not been constituted by written right, nor by the usurpations of the clergy, but by military power; that they, the nobles of the country, took back the jurisdiction of which they had been deprived, and that the clergy, grown rich through avarice, should return to the poverty of the primitive Church."[2]

Frederick's voice consequently found an echo in Europe; the spirit of independence stirred in secular

[1] They addressed a letter of complaint to the Council. Mansi, xxiii. 639. Matt. Paris places the following shameless words in the mouth of the Pope: *hortus noster delitiarum est Anglia: Vere puteus inexhaustus . . . de multis multa possunt extorqueri* (p. 473, edit. *Wats*). "The popes," says Lingard, *Hist. of Engl.*, ii. 414, "from the time of the Crusades required a tenth from the clergy; it was soon discovered that every war undertaken by the popes was of a religious nature. The mendicant monks, equipped with the terrible *non obstante*,—a formula against which no right could prevail,—oppressed religious institutions and convents as collectors of taxes." Meiner's *Historische Vergleichung*, ii. 615.

[2] *Ut sic jurisdictio nostra resuscitata respiret, et ipsi hactenus ex nostra depauperatione ditati—reducantur ad statum Eccl. primitivæ.* Matt. Paris, p. 719. The chronicler notes the accordance between these tenets and Frederick's letter. Documents of November 1246 of this league (which was soon suppressed by the Pope) in *Hist. Dipl.*, vi. 467. Even Henry III. limited the spiritual tribunal for laymen to some canonical instances. Matt. Paris, p. 727, *ad A.* 1247.

society in revolt against the preponderating power of the clergy, who had fallen away from evangelical teachings. But these movements remained isolated. To deprive the Pope of the supreme jurisdiction over princes, and to lead the Church back to her non-political origin by the secularisation of her property, were the reforms which the great Emperor desired, but to which he was unable to give more than verbal expression. He did not overstep the principles, which had already been more seriously discussed and more strongly expressed in the time of Arnold of Brescia, or during the war of Investitures, than during his own time. Frederick fought until his death against the Papacy, which his guardian, Innocent III., had recreated ; but all his attacks were invariably concerned with the political power which had been usurped, never with the ecclesiastical authority of the pontiff.[1] No Carolingian, Saxon, or Frankish emperor would have granted the Pope so much as Frederick II. was obliged to grant, after the principles of Gregory VII. had been approved by the world, after he himself had abandoned the concordat of investiture of Calixtus, had recognised the deposition of Otto IV. by the Pope, and had made use of this deposition as a step to his own throne. Facts were against him, and deprived his theory—namely, that popes pos-

Frederick II.'s scheme of reform.

[1] This is his confession of faith : *Etsi nos nostræ catholicæ fidei debito suggerente manifestissime fateamur collatam a Domino S. Rom. Sedis Antistiti plenar. in omnib. potestatem, ut quod in terra ligaverit, sit ligatum in cœlis, et quod solverit sit solutum : nusquam verumtamen legitur, divina sibi vel humana lege concessum, quod transferre pro libito possit imperia.* Letter *Etsi caussæ uræ* of July 31, 1245.

Solitary position of the Emperor in his struggle with the papal power.

sessed no jurisdiction over kings—of all effect. In his struggle with the Papacy he remained weak and unsupported, because he acted in the name of an already abstract and therefore unpractical idea, in the name of the empire or of the secular authority in general, not of an actual state and of a nation offended in its own rights. No advantage bound kings to the empire; they followed their separate interests, and, like bishops, still feared excommunication and deposition. In vain the quick-sighted Emperor told them that his cause was also theirs. That a pious man—a man, however, who showed a resolute front to the Church—occupied the throne of France, that a faint-hearted prince sat on the throne of England, were facts of inestimable advantage to the Pope. Henry III., who violated the Magna Charta, needed the help of the Pope against his barons; nor did he support his brother-in-law against the very Roman hierarchy which had made his own kingdom into a fief of the Church. Lewis of France, on whom Frederick had conferred the office of arbitrator, rested satisfied with futile negotiations and avoided entangling his flourishing French dominions, now developing into a monarchy, in the affairs of the empire. Germany, tired of the Italian wars, which it determined no longer to regard as of imperial interest, at first courageously resisted the artifices of Rome; then it split into parties, put forward rival kings and began to desert the great Emperor, while he involved himself in the labyrinth of Italian politics, and wasted the energies of his mind in a country which was too small for his genius.

The voice of evangelical heretics, valueless at the time, alone was raised in his defence.[1]

Implacable hatred of Innocent IV. towards the Hohenstaufen race.

Reconciliation became impossible when, after the sentence of Lyons, the Church passed from a passive state to one of vehement attack. The Pope firmly protested that he would never make peace with, would never tolerate Frederick or his sons, "the brood of vipers," on the throne.[2] That which Innocent III. had previously contemplated, Innocent IV. resolved to accomplish at any price; to depose the Hohenstaufens for ever, to raise in their stead an emperor, who, as a papal creature, would renounce all claims on the State of the Church and Italy.

He prosecuted the war with every reprehensible means that the selfishness of secular princes was accustomed to employ: by the fanatical persecution of Frederick's adherents in every country, as far as the power of the Church reached; by encouraging revolt, by suborning the subjects of the Emperor to acts of treason, by the wily intrigues of legates and agents, who, in search for a rival king, incited bishops and princes to rebellion, and even attempted to seduce Conrad, the Emperor's own son, from his allegiance.[3] Swarms of mendicant monks roused

[1] Albert Stadensis, *Chron.*, A. 1248. The heretic preachers demonstrated from the Scriptures that the apostolic authority of the popes was usurped.

[2] *Absit ut in populo christiano sceptrum regiminis ulterius manea apud illum vel in vipeream ejus propaginem transferatur.* Höfler, *Friedrich II.*, p. 383. Similarly to the people of Strassburg, January 28, 1247.

[3] In seven years, says his biographer (c. 29), Innocent IV. spent 200,000 marks in Italy and Germany.

the popular mind to fanaticism, and the people calmly saw their wealth flow into the coffers of Rome, while remission of sins, on account of the holy Crusade, was dealt out to all who took up arms against their lord. The vow of the Crusade was exchanged for the duty of making war on the Emperor. Gregory IX. had already openly branded him as a heretic; the reproach of being an enemy to the Christian faith formed a powerful weapon in the hands of the priests. His Saracen surroundings, his clear-sighted intellect afforded occasion to the most venomous charges of malignity. The Crusade was preached against Frederick, as against an infidel, in every country, and a German prince, Henry Raspe, Landgrave of Thuringia, who set himself up as rival king in the spring of 1246, did not blush to summon the Milanese to arms against Frederick, as the "enemy of the Crucified."[1] The Emperor fully recognised that, in his continued war against the Papacy, he would meet the same end as his predecessors in the empire. He longed for reconciliation with the Church, even under humiliating conditions; he laid his profession of the Catholic faith in the hands of

He causes the Crusade to be preached against the Emperor.

[1] May 1246, *Hist. Dipl.*, vi. 431. The annals of a German convent, S. George in the Black Forest, naïvely place together the following entries: *A.* 1240. *Tam juvenes quam senes crucesignati sunt contra Tartaros.* *A.* 1246. *Adulti signati sunt cruce contra Fridericum Imp.* (*Mon. Germ.*, xviii.). The money collected for the deliverance of Jerusalem was officially devoted by the Pope to the Crusade against Frederick. Bulls, in Cherrier, iii. 520. Christian burial was refused to the Emperor's adherents. On May 6, 1247, the Pope gave the Bishop of Constance permission to bury ten of Frederick's followers, on condition that their heirs indemnified the Church. E. Berger, 2612.

some bishops. They brought it in writing to the Pope. The Pope rejected it, resolved on the overthrow of Frederick and his family, and himself compelled the Emperor to continue the war.[1]

3. CONSPIRACY OF SICILIAN BARONS AGAINST THE EMPEROR, AND ITS SUPPRESSION — FREDERICK'S GOOD FORTUNE IN WAR—VITERBO AND FLORENCE FALL INTO HIS HANDS—STATE OF AFFAIRS AT ROME—THE SENATOR WRITES EXHORTING THE POPE TO RETURN —THE POPE BESTOWS TARANTO IN FIEF ON THE FRANGIPANI — THE EMPEROR DETERMINES TO ADVANCE AGAINST LYONS—DEFECTION OF PARMA; MISFORTUNES OF THE EMPEROR — ENZIO TAKEN PRISONER BY THE BOLOGNESE—FALL OF PETER DE VINEIS — DEATH OF FREDERICK II., 1250 — HIS FIGURE IN HISTORY.

Italy remained essentially the stage of this war of annihilation; it was only with Italian forces that the Emperor was enabled to continue the struggle. The terrible Ezzelino, degenerated into a ruthless tyrant, Manfred Margrave Lancia, and Obert Palavicini stood at the head of the Ghibellines, while King Enzio, the representative of the Emperor, and Frederick's other bastard son, Frederick of Antioch, were his vicars in Tuscany and the Maritima. Meanwhile the letters of the Pope, exhorting the people of Italy to rebellion, took effect, not in Sicily alone, but even at the imperial court. Innocent hoped by means of a conspiracy of venal barons to

[1] Concerning the profession of faith, see *Hist. Dipl.*, vi. 426.

deprive the Emperor of the basis of his power in Italy, and to make himself master of the Hohenstaufen inheritance, to which he sent the Cardinals of S. Maria in Cosmedin and in Trastevere as legates.[1] There were a great number of malcontents in Sicily. The clergy rendered subject to the laws of the state and severely persecuted; the feudal nobility, deprived of the privileges of the higher jurisdiction; the burgher class, exhausted by taxation —all these offered material for revolt, which was zealously stirred by the agents of the Pope, the wandering mendicant monks. But the monarchic power, which Frederick had founded in his kingdom, showed itself sufficiently strong; the populace and the cities, indemnified for the loss of their liberties by many wise laws protecting them from the barons, did not rise against their master. The conspiracy remained restricted to the nobility, who allowed themselves to be gained over by estates and honours. For a formal transference of property took place; estates were taken from the adherents of the Emperor and given to those of the Pope. Theobald Francesco, hitherto Podestà of Parma, Pandolf Fasanella, Captain for the Emperor in Tuscany, the lords of Sanseverino, of Morra and Cicala, formed with the papal legate a plan of conspiracy, which aimed at the life of the Emperor. But Frederick discovered the plot while encamped at Grosseto in March 1246. Pandolf and other fugitive conspirators found a temporary reception in Rome, and the Emperor, filled with indignation in consequence, wrote a letter

The Pope furthers a conspiracy against the life of the Emperor, 1246.

[1] E. Berger, 1973 f., 1979 f.

to the Senate and people.[1] The Pope himself zealously furthered the conspiracy, and, in the hope of recovering lost privileges, incited the Sicilians, in the language of a demagogue, to rise against the "second Nero," to break their chains and to regain the blessings of freedom and peace. We still read his unscrupulous letters to these traitors, "the illustrious sons of the Church, whom God had illumined with the light of his countenance."[2]

The Emperor, following on the heels of the rebels, who had fled to Apulia, crushed them in their fortresses of Scala and Capaccio in July 1246; then he returned to the North in order to prosecute his intention of tracking the enemy to Lyons itself. Fortune now seemed sufficiently propitious. His captains were victorious in Tuscany and Umbria; Marinus of Eboli had overcome Cardinal Rainer Capocci and the Guelf league of the people of Perugia and Assisi; Camerino returned to the imperial rule, and Pisa and Siena fought on Frederick's side against the Guelf cities.[3] In Roman

Victories of the Emperor and the Ghibellines.

[1] Letter, *Ignominiosa vulgaris*, Goldast, *Const.*, iii. 394; Peter de Vin., iii. c. 18. Pandolf da Fascianello was still captain-general in Tuscany on May 4, 1244 (Archives of Siena, n. 393). He and others escaped, and were treated with distinction by the Pope. Cherrier, iii. 179, 514. On March 14, 1247, Innocent bestowed on him *propter fidelit. erga Rom. Eccl.* the *castrum Gifonis* in the diocese of Salerno, and other estates upon his brothers. E. Berger, 2895 f. Property bestowed on the Francisci and other Guelfs, *ibid.*, 2898 f.

[2] To Theobald Franciscus and his fellow-conspirators, Raynald, A. 1246, n. 14; to all the Sicilians (April 26, 1246), n. 11. Frederick was accused of a plot against the life of the Pope; he refuted the charge with dignity.

[3] With regard to Frederick's *Regesta*, I note a letter (which is not

territory Corneto had not only been crushed by the imprisonment and execution of several of her citizens in 1245, but Viterbo had also been reduced by famine to abandon the cause of the Pope, and to surrender to Frederick of Antioch in 1247.[1] The same son of the Emperor even entered Florence, where the inhabitants banished the Guelfs, and transferred the signory of the city to him. Frederick thus became master of almost the whole of Tuscany.

The Romans invite the Pope to return.

The city of Rome remained abandoned to herself. Chroniclers are silent respecting her condition during the absence of the Pope, and even the names of the ruling Senators are doubtful.[2] That the Guelf party still remained in power is shown by the letter of a Senator, who as urgently invited the Pope to return as the Romans invited his successors a hundred years later, when these pontiffs made their dwelling at Avignon. Rome, the head of the world, is already represented in these letters as deprived of her head, since she is left without her shepherd, and is depicted

given in Huillard) to the people of Siena, *dat. Alifie XXVI. Madii IV. Ind.* 1246, which says that the Sienese could allow the troops, requisitioned by Frederick of Antioch (the son of the Emperor, and his vicar-general in Tuscany and the Maritima) for his army against Perugia, to depart. *Caleffo Vecchio*, fol. 250.

[1] On May 9 the Emperor had already issued a decree of pardon for Viterbo. Böhmer-Ficker, 3603; then an amnesty for the same city from his camp before Parma in August 1247, *ibid.*, 3641.

[2] The Capitoline Register notes, A. 1246, *Petr. de Frangipanibus.* A. 1247, *Bobo fil. Johis Bobonis.* A. 1247, *Petr. Caffarus Prosenator.* A. 1248, *Petr. Anibaldi et Angelus Malebranca;* upon what grounds, I do not know. In an undated letter of the Pope, *senatori et pop. Romano,* the Romans are summoned to rise against Frederick: E. Berger, 1977. On October 11, 1246, Innocent orders his vicar in Rome to have the Crusade preached against Frederick; *ib.*, 2945.

as a mourning widow. The Pope is reminded of the legend of Peter, who, flying from Rome, meets the Saviour and asks him, "Domine quo vadis?" He receives the answer, "I go to Rome to be crucified for the second time"; on which the abashed apostle immediately turns back.[1] The long absence of Innocent IV. caused the Romans to fear that the Pope would permanently establish his throne in France, and that Rome, "the eyebrow of the world, the tribunal of justice, the seat of holiness, the throne of glory," might then be deprived of her honour, or of her only source of well-being. The letter of the unknown Senator was a foreshadowing of Avignon. Innocent IV., however, could not obey the summons of the Romans, since his return would have frustrated both the object and the effect of his flight. While drawing the adherents of the Emperor to his side, he sought on the contrary to strengthen his party in Rome. He won over the Frangipani, hitherto the heads of the Ghibellines, by the recognition of their rights to the principality of Taranto, which had formerly been promised by the Empress Constance to Otto Frangipane, but had been given by Frederick II. to his son Manfred. Innocent gave it in fief to the Count Palatine Henry Frangipane, to whom he at the same time presented the revenues of the

He gains the adhesion of the Frangipani.

[1] *Sanct. patri . . . Senator . . . ceterum in vestra remotione clandestina, urbe repudiata, primo elegistis Januam, post Lugdunum — —ut sic Romana novo confusa obproprio funditus desolata sedeat civitas expers papæ—quasi vidua domina urbium.* The letter belongs to the year 1246, as is evident from the statement that the absence of the Pope had already lasted a *biennium*. In Höfler, from the notebook of Albert von Beham, n. 47.

Judicatus of Arborea in Sardinia. Thus this Roman family renounced the Hohenstaufens and became the avowed enemies of the heirs of Frederick II.[1] The Emperor harassed Rome no further, the object of his hatred being no longer within the city: he even strove to show the Romans that he made war not on them, but on the Pope.[2]

Once more powerful in Italy, he determined to march through Savoy to Lyons, to prove his right in the sight of the enemy before the world. Had he actually advanced at the head of victorious troops, had he again assembled Germany (where Henry Raspe, the rival king, vanquished by Conrad, had died of his wounds on February 17, 1247) under his banner, the war would have attained new and greater proportions. This bold enterprise, which would necessarily have become of epoch-making importance, was never undertaken. The defection of a hitherto loyal city compelled the Emperor, to his misfortune, to turn back at the foot of the Alps of Savoy, and kept him far from Germany, the natural base of his

[1] The papal investiture, Lyons, May 29 (1249). Cherrier, ii. 380. But the privilegium of Constance was never produced, not even when Innocent III. promised Taranto to the Count of Brienne. The investiture of Arborea, which must equally have involved the Frangipani in enmity with the heirs of the house of Hohenstaufen, is dated June 4, 1249, *ibid.*, v. 380, 391.

[2] The letter of Walter of Ocra to the King of England, of September 1246, says: *Imp. omnibus ordinatus et cum Romanis et Venetis jam bona pace firmata. Hist. Dipl.*, vi. 437. After the Emperor was deposed, the prelates sent a long letter to Rome to exhort the city to fidelity. *Inclite almeque urbi Romane Cetus amicorum ejus et Christi fidelium congregatio . . . Corona sapientie timere deum. . . . Cod. Vat.*, 7957, fol. 24 a.

power. The resistance of the cities was invincible; each of them a walled fortress, each an autonomous city filled with valorous citizens. The terrible nature of the civil war shattered the power of the Emperor; did some cities fall, others arose, and even the fidelity of friendly communes was insecure, since the hostile party might rise like a hurricane in the night and plant their banner over the city gates. The war waged by the Emperor against these fickle, valiant, and heroic communes was consequently the arduous labour of a Sisyphus—a terrible monotony of perpetual marches, sieges, devastations of fields, and horrors of every description. We of the present time can scarcely understand how either the patience of these gifted rulers, or the means of the industrious burghers, could support the strain of this perpetual condition of affairs. On June 16, 1247, Parma fell by a bold stroke into the power of her exiled citizens, the Rossi, cousins of Pope Innocent. The Emperor, who was at Turin, immediately turned and marched against the town, the siege of which he began on July 2. The war centred round Parma, for into that place Gregory of Montelongo, a relative of Innocent III., and legate of the Pope, a priest no less skilled in the arts of war than in those of diplomacy, had thrown himself with a large number of troops belonging to Guelf cities and princes. The Emperor's judgment was obscured, or he would not have resolved on the siege of a single city, in which the time, energy, and activity requisite for larger enterprises were wasted. Nevertheless the conquest of Parma, where the chief power of the enemy was

Parma renounces the Emperor, June 16, 1247.

collected under the most distinguished heads, would have been a great victory in Italy.

Frederick II. besieges Parma.

Frederick spent the autumn and winter before Parma, dwelling in the town which he had built within his camp, and which, confident of success, he had called Vittoria. Reduced by their terrible hardships to despair, the besieged made a sortie while the Emperor was absent on a hunting expedition. Vittoria fell a victim to the flames on February 18, 1248; thousands covered the field; among the slain was Thaddeus of Suessa, a brave warrior and a great statesman, formerly the eloquent advocate of his master in Lyons, and now, in his glorious death as a valiant soldier, to be deemed happier than Peter de Vineis. Thousands suffered imprisonment at the hands of the citizens; the spoils of the camp were immense; the imperial crown itself fell into the clutches of the enemy; a goblin-like creature of the rabble wore it through the town amid the rejoicings of the populace. Such is the fate of all majesty on earth. Its purple sinks in the end to be the covering of the fool! The day of Parma was a second Legnano for the Guelf cities. It was celebrated in song. But Frederick's star had set.[1]

The people of Parma destroy the camp of the Emperor, Feb. 18, 1248.

He came to Cremona a fugitive; there he collected his army, and breathing vengeance returned to the neighbourhood of Parma. The Guelf cities, however, made resistance. One stroke of misfortune followed another. Frederick's favourite son, Enzio, the flower

[1] Salimbene (p. 80). The Pope at Lyons congratulated the people of Parma: Baumgartner's *Book of Formulæ*, edited by H. Bärwald, p. 169.

of chivalry, fell into the hands of the Bolognese at Fossalta on May 26, 1249. The triumphant victors carried the precious spoil of war within the walls of their city, and replied to both the entreaties and the threats of the Emperor with the defiance of citizens, whose haughty language furnishes the most striking testimony to the strong spirit that animated the republicans of the age. Enzio's royal youth was buried in an imprisonment of two and twenty years, from which he was only released by death.[1]

King Enzio taken prisoner by the Bolognese, May 26, 1249.

The best of Frederick's sons was a captive, his most faithful councillor was slain, he was robbed of his most gifted minister and friend, either by this minister's fault or by his own suspicion—the gloomy companion of a vanishing fortune and a tottering rule. The fall of Peter de Vineis, the celebrated burgher of Capua, who, through his genius, rose from the dust to become the foremost statesman of the age, fell like a shadow across the life of the great Emperor, in the same way that the death of Boëthius overshadowed the life of Theodoric the Great. The two German kings resembled one another in the last stage of their career, as also in the rapid and tragic extinction of their race. History has explained neither the guilt, the manner of death, nor the precise

Tragic fall of Peter de Vineis.

[1] Letter of the Bolognese, Huillard, *Hist. Dipl.*, vi. 738. Filippo Ugoni was their podestà. The Archives of the Palazzo Nuovo at Bologna still contain some time-stained registers, in which the prisoners are enumerated. On the reverse of one leaf: *de Palatio novo communis Bon: dns Hentius Rex sive henricus fil. d. Friderici olim Imperatoris.—Relaxatus est: D. Marinus de Hebulo. d. Comes Conradus. d. Attolinus d' Landido. d. baxius d' Doaria* (*sunt quinque*). (*Miscell.*, n. 5 n. 36.)

date of the fall of Peter, to whom Dante half a century later made an atonement in immortal verse.[1]

The Emperor returned from Tuscany to Apulia in May 1249, and never left South Italy again. To his misfortune circumstances, which he could not overcome, chained him to the country, where his great struggle could no longer be brought to a decision. If we may assert that Frederick II. was not defeated, that he maintained his power even to the last, not only in his own kingdom, but also in the greater part of Italy, we must nevertheless admit that he lost his influence in international affairs, and that he was left in Italy forsaken and alone. True, that the Pope in Lyons feared a revulsion of feeling in Frederick's favour, since, after the recovery of Ravenna, the Emperor had again become sovereign of the Marches, while the Lombard cities, harassed by the tyranny of Palavicini and Ezzelino, were reduced to utter exhaustion. At the same time, unless the Emperor could bring the German nation into the field, and could form an alliance with all the influences adverse to the Papacy in England and France, the defeat of the Roman Church remained impossible. Frederick II., unconquered but with the object of his active life still unattained, died, after a short illness, in his

Death of Frederick II., Dec. 19, 1250.

[1] In January 1249 Peter was still protonotary in Pavia. According to the *Annals of Piacenza* Frederick had him arrested at Cremona, then brought to Borgo S. Donnino, and in March 1249 to S. Miniato, where, deprived of his sight, *suam vitam finivit*. That he committed suicide in Pisa, however, seems certain. The researches of De Blasiis (*della vita e delle opere di Pietro della Vigna*, Naples, 1861) and Huillard's *Vie et Correspondance de Pierre de la Vigne*, Paris, 1865, have not succeeded in throwing any clearer light upon the subject.

castle at Fiorentino near Luceria on December 19, 1250.[1]

If the account of ancient chroniclers be true, the great enemy of the popes departed with a philosophic word on the nothingness of all earthly power, with the Christian hope of eternal life, clothed in the habit of the Cistercian, and absolved by his faithful friend, Berard, Archbishop of Palermo. We are glad to accept the story, because it is in harmony with human nature. The deathbed of Otto IV. was surrounded by monks, who, at his own entreaties, scourged him until he bled, and beside Napoleon's dying couch stood an obscure priest, who gave him the communion.[2] The hero of his century, whose genius had filled his contemporaries with admiration, died after long efforts to deliver the world from the yoke of the priesthood, died, like the majority of the great men of his time, uncomprehended, abandoned, and in tragic loneliness. The heir to his crown was far away in Germany, fighting the usurper, William of Holland: beside his deathbed stood Manfred,

[1] *Usque ad ultimum fati sui diem gloriosus, et per totum Orbem Terrarum admirabiliter vixit, et qui omnib. fuerat insuperabilis, solius mortis legi succubuit;* thus the Ghibelline Nicol. de Jamsilla, *Hist. de reb. gest. Frid. II.*, Murat., viii. 496.

[2] *Obiit — principum mundi maximus Fridericus stupor quoque mundi et immutator mirabilis, absolutus a sententia qua innodabatur, assumpto, ut dicitur, habitu Cisterciensium, et mirifice compunctus et humiliatus.* Matt. Paris, p. 804. Manfred wrote to Conrad that the Emperor (*in corde contrito velut fidei orthodoxæ zelator*) had commanded all injuries inflicted on the Church to be repaired (Baluze, i. 476). His will (*Mon. Germ.*, iv. 357), indeed, ordered that this should be done: *salvo jure et honore Imperii . . . et ipsa restituat jura imperii: Chron.*, Franc. Pipini, lib. ii. c. 41.

his bastard son, in whose arms he expired, and the faithful Archbishop Berard. His castle was defended by his Saracen guards. His coffin was carried to Taranto, and thence by sea, first to Messina, afterwards to Palermo, where in the cathedral the dead Emperor still sleeps in his porphyry sarcophagus.

The passions stirred by Frederick's violent contest with the Papacy may still be traced in the opinions of the world of the present day. There is still a Guelf and a Ghibelline view of his conduct, for the two parties still survive under other forms, and will survive as long as the principle of their opposition endures. The lowest conception of Frederick's character is that of the ecclesiastical faction of his own time. It is intelligible that Innocent IV. only perceived an Antichrist, a Pharaoh and a Nero in his great opponent; for the evangelical ideal of the Church had long been corrupted, and when priests speak of the Church, the hierarchy or the Papacy may alone be understood. It is, however, surprising that the judgment of sacerdotal hatred of long past days should have found an echo among historians of present times.[1] The view of the thinker is modified by a calm survey of the system of the universe, the rival principles of which (whatever be the party names they may assume) take shape, in the realm of the ideas, as the forces and instruments of the

[1] Thus Böhmer's judgment of Frederick is prejudiced and unjust, as is admitted even by J. Ficker, who has completed the *Regesta* of the empire of the later Hohenstaufen period compiled by Böhmer (Innsbrück, 1881). See his preface to this new edition.

sovereign reason which informs the world. The long series of popes (some of them great men) who, invested by the faith of mankind with religious power, have courageously fought for the deliverance of the Church from political law, presents as admirable a spectacle as the series of illustrious emperors, the benefactors of mankind, who, endowed by the same belief with the majesty of civil power, defended the liberty of the spirit of the age against the degenerate Church. Innocent IV. summed up in himself the series of these popes and the results which they achieved; Frederick II. the series of the emperors and the results attained by them. The mediæval world, according to their ideal, was a cosmic system, the continuity and unity, and indeed the philosophic idea of which compels our admiration at this day; since mankind has never been able to replace this outworn system by another equally harmonious. This mediæval world was, as it were, a perfect sphere, with two poles, emperor and pope. The guiding principles of humanity, embodied in these universal figures, will ever remain a marvellous creation of history, one which can never be repeated. They were, as it were, two Demiurges, two spirits of light and power, placed in the world, each to rule his sphere; creations of that idea of the universal Roman empire and the universal Christian religion which still lived on as the central idea of civilisation, but obscured by the atmosphere of mortal necessity. The one represented the civic, the other the spiritual order, one the earth, the other heaven; and hence arose this Titanic war of the

Middle Ages, which filled and connected centuries, and formed the greatest spectacle of all ages. Frederick II. was its last hero; with all his faults and virtues, the most complete and gifted character of his century, and the representative of its culture.

Frederick has nevertheless been placed too far in advance of his century, in that he has been credited with the scheme of wishing to destroy the existing constitution of the Church, and of uniting the royal and sacerdotal powers in himself as a pope-emperor.[1] A Church without a pope was utterly foreign to the political ideas of the age. The conception of the two lights of the world remained a recognised symbol, and no emperor ever cherished the thought of destroying the Papacy, nor any pope that of annihilating the empire. They recognised each other as the highest spiritual and the highest temporal authorities, but made war on one another for the extension of their power.[2] Frederick, the dread enemy of the political degeneracy of the Papacy, cherished religious convictions as sincerely Catholic as those professed by the Ghibelline Dante. He did not combat the apostolic power in the Pope, but he summoned the princes to "help us manfully in the war against the wicked priests, that we may

[1] The assertion of Huillard, which attributes such a scheme to Frederick, is untenable. The meritorious French scholar repeats his opinion in his *Vie et Corresp. de Pierre de la Vigne*, Paris, 1865.

[2] Frederick as little denied the Papacy as did Philip of France, who considered Saladin fortunate, because for him there was no pope. He thus wrote to Vatazes, his son-in-law, in 1247: *o felix Asia, o felices orientalium potestates quæ—adinventiones pontificum non verentur. Hist. Dipl.*, vi. 686.

break their arrogance, and may give more worthy directors to our mother the Church; for thus it behoves our imperial office, and it is our sincere desire to reform the Church to the honour of God." [1] The word "Reformation" here appears in the mouth of Frederick II. By that, however, he only understood the emancipation of crown law from canon law, the separation of the temporal from the spiritual power, the restriction of the priesthood to the apostolic office, the secularisation of the Church according to the ideas of Arnold of Brescia, which were recognised by the Ghibellines, and the restoration of the royal right of investiture, such as had been accomplished in Sicily.[2] Mankind was still far removed from the Confessions of Augsburg and Worms: a long intellectual progress along the paths of scholastic and classic learning was to be made before Germany reached this point. The severance of Germany from the Roman Church was accomplished by the Reformation. But the movement did not take place at any given time. Its development, like a continuous chain of causes, reaches back to the Gospel, and the long series of emperors, who carried on the war for the investiture and for

[1] *Ad honor. divinum in melius reformemus.* Höfler, p. 424. The terms *reformare* and *reformatio*, to alter conditions by means of law, were at that time customary in all republics.

[2] Towards the end of 1246 he wrote to King Lewis: *nos—firma concepimus voluntate temporalia jura et dignitates nostras inviolabiliter conservare, et nihilom. S. Rom. Eccl. ad honor. dei et catholice fidei in spiritualibus revereri.—Quod si ad id votis equalib.—intendamus, communem causam nostr. et omnium principum adeo favorabilem faciemus, quod in nullo jura nostra diminui poterunt, sed augeri. Hist. Dipl.*, vi. 473.

the empire against the supremacy of Rome, was the direct historic presupposition of the German Reformation. In Frederick II.'s wars against the exorbitant demands of the Papacy many new seeds of the Reformation were scattered over Europe.

Frederick II., the conservative representative of the ancient imperial principle and at the same time an innovator, here shows himself in advance of his age and there belies it. Can we wonder that he still believed in the ideal of the Roman imperium, when, a century later, that imperium appeared to the noblest minds in Italy as the still-surviving and legitimate ancient empire of the Romans, as the uninterrupted system of the world, and as the central conception of all human civilisation? For this was still the error (an error of genius) of Dante and Petrarch. A sublime tradition, handed down through centuries, a theocratic theory of the constitution of the universe and of the unity of the human race, in which the Germans, who dissolved the Roman empire, gave expression to their want of a legal form, that should comprehend civil life and religious unity, a great ideal of civilisation, a cosmopolitan conception which was never realised, ruled the entire Middle Ages with the tenacity of a dogma. And this idea continued to survive when the Latin and German nations, who had shared between them the two representatives of the world,—emperor and pope,—had, through a long process of development, acquired their own political forms, laws, nationalities, and national languages. At the time of Frederick II. the Latin race had entirely assimilated the

German elements and represented south of the Alps a new, peculiar nation—the Italian. This nation had become emancipated from the ancient preponderance of German feudalism, having rejuvenated itself in its communal constitution and in its Roman law. The democratic national spirit, with which the Church formed an alliance, protested in consequence not only against the restoration of the German feudal principle in Italy, through Henry VI., but also against the new monarchical principle of Frederick II. And the programme of the Ghibellines, the political legitimists of the time, which proposed to bestow on Italy the doubtful benefit of monarchic unity at the hands of a foreign emperor and at the cost of national independence and civic liberty, was no more justifiable than the fierce thirst for freedom of the Guelfs, who only from necessity and advantage sought support from the Pope, the natural enemy of the monarchical principle in Italy.

Frederick II. closed the epoch of the ancient German empire, which had outlived itself on both sides of the Alps, and had left the Church and the Guelf party in possession of the victory and the future. He closed the empire, however, in a new form, namely, as the first actual monarch, the founder of a political principle of centralised government, the first prince who gave his people a regular code of laws, who began the war of the monarchy against feudalism, and who summoned the third estate to a seat in parliament. It was in his hereditary kingdom of Sicily that he made experiment of his principles, according to which feudal as well as

democratic inequalities were to be abolished in the monarchy. The age laid hold of these monarchic tendencies, and slowly developed the modern State. Following these new ways in the old struggle with the papal hierarchy, it thus happened that, fifty years after Frederick II., the French monarchy was able, by the power of political right, and through the principle of national independence and with the consent of the united barons, actually to overcome the Papacy as constituted by Innocent and the papal authority of the Middle Ages.

4. The Sons of Frederick II.—Conrad IV.—Return of the Pope to Italy—State of Affairs in the Peninsula—Manfred's Position as Vicar of Conrad—Conrad IV. comes to Italy, and takes Possession of the Kingdom—Innocent IV. offers Investiture with the Kingdom first to Charles of Anjou, then to an English Prince—The Senator Brancaleone forces him again to make his Residence in Rome, 1253—Prince Edmund receives Sicily in Fief from the Pope—Tragic Death of Conrad IV., 1254.

As the great Emperor, who for forty years had riveted the attention of Europe, lay in his coffin, the struggle of the empire with the Church appeared to be decided in favour of the latter, and a new period of unlimited supremacy seemed to have dawned for the popes.

Innocent's satisfaction was consequently intelligible, but so unpriestly and unbounded, as to find

vent in coarse rejoicings.[1] Fortune seemed to offer him the supremacy of the sacred chair over Italy, and whether this ancient problem was to be solved in favour of the popes, was now, if ever, to be proved. Of the sons born to Frederick in wedlock with Constance of Aragon, Iolantha of Jerusalem, and Isabella of England, King Conrad, the son of Iolantha (now twenty-two years of age), and Henry, the son of Isabella (aged twelve), alone survived. Of his three illegitimate sons, Enzio languished in prison at Bologna, Frederick of Antioch, banished from Florence, was in Central Italy, and Manfred in Apulia.[2] In conformity with his will, Conrad IV., elected King in Germany in 1237, was heir to all his father's crowns, and Manfred, Prince of Taranto, was to govern the Italian provinces and Sicily as his representative.

Conrad and Henry, the heirs of Frederick II.

Innocent IV. hastened to wrest Apulia and Sicily, which he regarded as ecclesiastical fiefs that had now reverted to the Church, from Frederick's heirs. He exhorted the Sicilians to return to the rule of the Church, which offered them privileges, the Germans to remain faithful to King William, to whom he offered the imperial crown, while he caused the Crusade to be everywhere preached against the

[1] *Laetentur Cœli, et exultet terra* . . . to the Sicilians, Lyons, January 25, 1251 (Raynald, n. 111). Compare this with Frederick's noble words, when informing the kings of the death of Gregory IX. : *de cujus morte multa compassione conducimur, ut licet digno contra eum odio moveremur* (*Hist. Dipl.*, v. 1166).

[2] The eldest son Henry, the rebel, died in prison at Martoranum in 1242 ; the third son, Jordan (born of his marriage with Isabella), died as a child at Ravenna in 1236.

innocent Conrad. The Guelf cities summoned him to Italy; he quitted Lyons, where William the rival king had celebrated Easter in his company, on April 19, 1251.[1] The luxurious commercial city saw the papal Curia depart after a six years' sojourn, and little dreamed that fifty years later a pope would again appear there for his coronation, and that the Papacy would then make its residence for seventy years on the same banks of the Rhone.[2]

Innocent IV, leaves Lyons, April 19, 1251.

Innocent advanced through Marseilles along the Riviera to Genoa. The fugitive of 1244 reappeared in his native city, surrounded with splendour, the victor of the empire. The burghers of Guelf cities streamed to meet him along his slow progress through Lombardy; fifteen thousand monks and priests received him with rejoicings outside Milan, while ten miles from the city an innumerable crowd, ranged along the road, formed a triumphal way for the papal procession. The Guelf republics did homage to Innocent IV. as Pope; they demanded, however, large sums of money, as indemnification for the costs of war, refused to surrender the former estates of the Church, and showed that they were

Is received with triumph in Italy, 1251.

[1] On April 17, 1251, King William issued at Lyons a privilegium for Perugia, which he confirmed in possession of Castiglione Chiusino. On the same day he ratified the rights of Perugia over Città della Plebe. Archives of Perugia, *B. B. Carte, sæc.* xiv., Appendix, n. 2.

[2] The indecent language, which Matt. Paris puts into the mouth of Cardinal Hugo as a farewell to Lyons, is significant of the time. *Amici, magnam fecimus, postquam in hanc urbem venimus, utilitatem et elemosynam. Quando enim primo huc venimus, tria vel quatuor prostibula invenimus. Sed nunc recedentes unum solum relinquimus; verum ipsum durat continuatum ab orientali porta civitatis usque ad occidentalem* (p. 809).

unwilling to exchange the imperial yoke for the rule of the Church. They had made use of her war with the empire, in order, with the help of their great ally, to become independent of the Emperor. The Church found that they now also wished to become independent of the Pope. The Ghibelline cities and nobles on their side were only temporarily depressed by the change of circumstances; the Emperor was dead, but the imperial principle survived, and was held upright by the powerful leaders, Palavicini and Ezzelino. The spirit of freedom, which the Hohenstaufen emperors had awakened in their wars, stood firm in its own behalf. The Pope beheld another Italy than the Italy he had left, and everywhere recognised that the great object of Hildebrand and Innocent III., that of bringing the peninsula under the pastoral staff of S. Peter, was unattainable.

He journeyed in the summer by Brescia, Mantua, and Ferrara to Bologna, where from his prison the unfortunate Enzio heard the shouts of rejoicing that greeted the entry of the hated rival of his great father. Innocent went on to Perugia in the beginning of November, but dared not venture to Rome. Although a Senator had urgently invited him to return, he dreaded the fierce defiance of the Romans, who after the death of the Emperor had but little reason for remaining Guelf. The Pope was given to understand that they would surround him with extravagant demands as soon as he ventured to show himself in the Lateran. He resolved to make his abode in Perugia.[1]

He makes his abode in Perugia.

[1] Matt. Paris, p. 809. Nicholas de Curbio, c. 30, accurately describes the entire journey of the Pope.

Meanwhile the young Prince of Taranto found a burthen laid upon him too heavy for him to bear. Manfred Lancia, born in 1232, was the son of Frederick by Bianca Lancia, a beautiful and noble woman of Piedmontese family.[1] His contemporaries called him bastard, as in fact he was, for the belief that Frederick had bestowed the sanction of the law on his connection with Manfred's mother is based on but slender evidence. As early as 1248 the Emperor had given him as wife Beatrix, the widowed Margravine of Saluzzo, a daughter of Count Amadeus of Savoy; and Frederick's will, which does not mention his other bastard sons, Enzio and Frederick of Antioch, shows that he recognised Bianca's child as his heir after his legitimate offspring. Nature had endowed Manfred with intellect and beauty, the most careful education with grace of manners and with learning; all contemporaries depict him as a splendid specimen of manhood, magnanimous, liberal, lively, a musician, a troubadour, and a born king. He soon made his name celebrated throughout the world. The Pope deceived himself if he hoped that after Frederick's death the cities of Apulia and Sicily would immediately erect the standard of S. Peter. The spell of the name and of the power of the great Emperor did not die with him. Only some barons of the cities, among them Capua and Naples (on which latter the Pope had bestowed liberal charters), de-

Manfred, Prince of Taranto.

[1] A descendant of the Lancia in Sicily compiled the genealogical tree of his house: *Dei Lancia di Brolo, Albero Genealogico e Biografie*, Palermo, 1879.

cleared themselves in favour of the Church. In his first embarrassment Manfred sent overtures of peace to Innocent; but the vicar of Conrad IV. was obliged to decline the offer of unconditional submission in return for investiture with Taranto as a fief of the Church.[1] He reduced the rebels in Apulia by adroit and rapid marches, rallied the German mercenaries round him, won respect by chivalrous deeds of arms, and soon appeared in a threatening attitude before Naples.

After the Emperor's death Manfred had summoned his brother Conrad to cross the Alps and take possession of his hereditary kingdom of Sicily. The young King of the Romans was true to the political ideas of his ancestors and accepted Manfred's invitation; he collected an army, held a parliament at Augsburg, appointed Otto, Duke of Bavaria, whose daughter Elizabeth he had married, as his vicar, and in October 1251 arrived in Lombardy, where Ezzelino and other Ghibellines received him with honour in Verona. Here and at Goito he reviewed the Ghibelline power, which was still considerable; then he resolved to go to Apulia to secure his hereditary dominions and thence to return to North Italy.[2] The league of Romagnoli, Umbrian and Tuscan cities, barred his way by land,

Conrad IV. in Verona, Oct. 1251.

[1] We see the conditions under which the Frangipani received the fief. It was only when Manfred refused to submit to the conditions imposed by the Pope that Innocent, on January 21, 1252, at Perugia, again bestowed Taranto in fief on Henry Frangipane.

[2] For the first appearance of Conrad IV., see F. Schirrmacher, *Die letzten Hohenstaufen*, Göttingen, 1871, p. 19.

and Rome did not seem inclined to recognise or support the son of Frederick II.[1]

Conrad took ship at Pola, where the Margrave Bertold of Hohenburg awaited him with Sicilian galleys. He landed at Siponto on January 8, 1252, and his appearance produced an immediate effect on barons and cities. The jealousy which had seized Conrad was disarmed by the prudent demeanour of Manfred, who after having opened to Conrad the way to Naples, surrendered the government of the kingdom and even his own fiefs into his brother's hands. Conrad IV.'s career in Apulia was brief and glorious. After he had vainly offered the Pope the most favourable conditions of peace as the price of his recognition or of receiving the investiture of Sicily, he manfully defended his rights with the sword. He marched through Apulia and Campania; the barons did homage to him; Capua opened her gates at the end of the year 1252, and in the following spring all the cities awarded him recognition with the exception of Naples, to which he energetically laid siege.

His victorious campaign in Apulia, 1252.

The success of Frederick's sons now obliged Innocent to resume a plan which he had already conceived in Lyons. Aware that the Church was of itself unable to wrest Sicily from the Hohenstaufens, he resolved to transfer the beautiful kingdom as a fief to a foreign prince. Such a step was humiliating to the Papacy and utterly fatal to Italy. Casting

[1] Curtius quotes two letters of Conrad to the Romans; the second (*Ardens semper*) belongs, however, to Frederick II. (Peter de Vin., iii. 72), as probably also the first (*Romanus honor*).

his eyes over various countries in the hope of finding a pretender and sufficient means, he offered the Sicilian crown to Charles of Anjou, brother to the King of France. The French nobles, however, and Blanche, the queen-mother, who administered the affairs of the country during Lewis's absence in Syria, declined the offer. Innocent now turned to England. Richard of Cornwall, a man of immense wealth, however, refused the proposal, but dazzled the imagination of his brother King Henry by suggesting as candidate Edmund of Lancaster, the king's second son, and a child of eight. Henry III. was but momentarily troubled by the thought that he would thus deprive his own nephew, the son of Frederick II. and Isabella, of Sicily, of which the youthful Henry was royal vicar.[1]

Innocent IV. offers the crown of Sicily to the Prince of Lancaster.

It was necessary that Innocent IV. should hasten to oppose Conrad by a powerful adversary. For Conrad entered Naples as a conqueror on October 10, 1253. The news of its fall had already reached the Pope in Rome, whither he had come from Assisi in the beginning of the month. The discontented Romans had already frequently demanded his return. They had just forbidden the commune of Perugia, their *protégé*, to detain the Pope any longer, and had then threatened the citizens of Assisi that they would go with an army to fetch him from

Conrad IV. enters Naples, Oct. 1253.

[1] Offer of the Pope to Charles of Anjou, June 12, 1253, Assisi: *Dum adversitates:* Raynald, n. 2, 3, 4. The offer to Richard seems to have been already made at Lyons (Lappenberg and Pauli, *Gesch. v. Engl.*, iii. 694). It was formally made from Perugia on August 3, 1252 (Rymer, *Fœdera*, fol. 284); then again on January 28, 1253 (fol. 288). The concession to Edmund, March 6, 1254 (fol. 297).

within its walls. "He must," they defiantly cried, "come now or never."[1] "We are astonished," said one of their envoys to the Pope, "that thou wanderest like a vagabond now here, now there, that thou desertest Rome, the seat of the Apostle, that thou hast abandoned thy flock, for which thou wilt one day have to render an account to God, to the mercies of the wolf, and thinkest of nothing but acquiring wealth. The Pope does not belong to Anagni or Lyons, not to Perugia or Assisi, but to Rome." The powerful Brancaleone of Andalò, who then held the office of Senator, dictated the speech to the Romans. Innocent came in fear and hesitation; the Romans received him coldly, their demonstrations of joy being made at order of the Senate.[2] Brancaleone met the Pope outside the city and accompanied him to the Lateran, but of any triumphant reception, such as had awaited him at Milan and at other cities, there was no question whatever. Thus the Curia returned to Rome in October 1253, after an absence of more than nine years. It was more than ten since Innocent had succeeded to the Papacy, and during this period he had not spent one entire year in the city. Scarcely were the Romans aware that the Pope was again within their walls, when they tormented him with demands for money and indemnities of every kind,

The Romans compel Innocent IV. to return to the city, Oct. 1253.

[1] *Et cum venire distulisset, iterum vocabant eum Romani, ut prius, sed solennius, et sub hac forma, ut scilicet tunc veniret, vel nunquam.* Matt. Paris, p. 862.

[2] *Ut decuit, susceptus est cum honore, sic jubente et volente Senatore.* Matt. Paris, pp. 862, 879.—Nicol. de Curbio, c. 34.

with such insistence, that he found himself obliged to invoke the protection of the powerful Senator.[1] Brancaleone calmed the storm, in order that it might not prejudice his relations with the Pope, with whom he was probably using his interest on behalf of Conrad. For he was on friendly terms with the King; he had sent envoys of the Senate and People of Rome to him, and had openly received the royal ambassadors on the Capitol.[2] Conrad forthwith availed himself of the Pope's presence in Rome to make overtures of peace for the second time. His advocates, however, the Counts of Montfort and of Savoy, effected nothing. Innocent had sworn the ruin of the race of Frederick II., and pursued his purpose with the relentless determination, of which the personal hatred of an offended priest is alone capable.[3] Tidings from England, informing him that Henry III. was disposed to accept the crown of Sicily for his son, encouraged him in his course. On Maundy Thursday, 1254, he pronounced the sentence of excommunication against Conrad and Ezzelino. Soon afterwards he left the insecure city and went to Umbria.

He dwells here under the protection of the Senator.

He goes to Assisi in the spring of 1254.

[1] Matt. Paris, p. 879.

[2] In an undated letter Conrad informs the Senator that he had accorded his envoys a friendly reception, praises his zeal and exhorts him to continued fidelity. The letter *plane scimus* to the proconsul *Almæ urbis*, Baluze, *Miscell.*, i. 193. "Proconsul" here stands for "Senator," and this Senator can only be Brancaleone. (A second similar letter of Conrad to the Senate and People: Peter de Vin., 3, 27.)

[3] *Papa—odio nondum extincto, quod olim in Federicum exercuit, in prolem et sanguinis sui reliquias sævire disposuit.* Such is the judgment of Ferretus Vicentinus (Mur., ix. 945).

At Assisi he confirmed the patent of investiture with Sicily, which his legate Albert had given the boy Edmund.[1] The doubts of the King of England had been removed, since, at the end of the year 1253, his nephew, the younger Henry, hitherto viceroy of Sicily, had been suddenly removed by death at Melfi, whither he had been summoned by Conrad after the two little sons of Frederick's eldest son, the unfortunate Henry, had also died. Ill-natured slander charged Conrad with murder, and astute cunning made use of the slander to persuade England to accept the investiture. The weak-minded Henry III. entered the snare with childish joy; he sent the Pope as much money as he could extort, or gave him *carte-blanche* to draw at will on Italian banks. This was all that Innocent desired. England was to sacrifice her patrimony for an imaginary kingdom, and at the papal command the conquest of Sicily assumed the character of a crusade. The Pope now hoped that Conrad would soon yield to the united powers of the Church and England; the young King, however, unexpectedly fell a victim to fever, and Innocent was in consequence soon forced to repent and forget the treaty which he had concluded with England.

Conrad IV. ruled Sicily and Naples as the heritage which he had reconquered by courageous war,

[1] Albert's document is dated from Windsor, March 6, 1254 (Rymer, fol. 297). On May 15, 1254, Innocent thanks the English king for having accepted the investiture, and begs him quickly to send troops to Sicily. *Ibid.*, fol. 302. His letter contains the phrase: *sed nepote tuo impie, ut asseritur, sublato de medio.*

and already prepared to resume his father's struggle with the Papacy. "I will soon come," he wrote to the Ghibellines, "with twenty thousand men to the north, to punish the rebels and to restore the imperial authority." Thus he wrote in April 1254; on May 21 he was dead. The son of Frederick II. perished owing to his own exertions in the hot climate of South Italy. He died at Lavello in the prime of youthful vigour, in the twenty-sixth year of his age, and with piteous lamentations over his fate and the misfortunes of the empire, which he beheld falling to ruin.[1] Like his father and his grandfather, like the whole of the Sicilian house of Hohenstaufen, he fell a victim to the fatal soil of Italy.

Death of Conrad IV., May 21, 1254.

The rapid fall of the Hohenstaufens is one of those tragic mysteries to which bigoted superstition offers a ready key. The history of facts, however, affords no solution to the question, although reason, that penetrates laws of history, can probably discover the necessity of the fall. As formerly, after the death of Henry VI., only a single heir, a child, Frederick II. himself, remained; so now also of the numerous offspring of this Emperor, only a single legitimate descendant, Conrad's son Conradin, a child of two, was left in Bavaria. Conrad, suspicious of Manfred, had on his deathbed appointed the Pope himself guardian of the boy, and had installed the Margrave

[1] *In triumfor. suor. primordiis, acerbo mortis fato succubuit.* Nich. de Jamsilla, Murat., viii. 506. *Homo pacificus et judex severus de cujus obitu Teutonici, Apuli et Lombardi, preter illos qui erant de parte Ecclesie, dolore nimio turbati.* Herm. Altahensis, in Böhmer, *Fontes*, ii. 510.

Berthold of Hohenburg as his representative or steward in the kingdom.

Manfred stood beside Conrad's coffin, as a short time before he had stood beside that of Frederick II. The result of the efforts of four years lay shattered before him; the future was once more dark and uncertain. Were there any who failed to recognise that with Conrad IV. Italy carried a great period of her history to the grave?

CHAPTER VII.

1. Brancaleone, Senator of Rome, 1252—Particulars concerning the Office of the Senator and the Organisation of the Roman Republic at this time—Resistance of the Roman Barons, and energetic Action of the new Senator.

We have already seen that, at the time of the return of Innocent IV., a citizen of Bologna, by his energy and greatness of mind, suddenly brought the senatorial office in Rome into high esteem, and imparted a transient splendour to the city. His rule and the constitution of the Roman republic, more especially during his time, deserve attentive consideration.

From the thirteenth century onwards the Italian free cities were accustomed to elect their podestàs from among the nobility of other communes with whom they stood in friendly relations. A stranger summoned to a six months' rule offered securer prospect of an impartial government, and less likelihood of the foundation of a tyranny, than the election of a powerful fellow-townsman would have done. Such an exchange of talents and energies between the democracies, who lent each other their most celebrated citizens as rectors, was the finest proof of republican fraternity and of common national

The podestàs of the republics of Italy.

ties. It greatly redounds to the honour of the Italians. And since as a rule only men of importance were summoned to the office of podestà, the invitation was in itself the most genuine testimony to distinguished talent. The student who would become acquainted with the genuine flower of the aristocracy in the great century of the republics of Italy, with her noblest knights, generals, lawgivers, and judges, must read the lists of podestàs in individual democracies. These lists give at the same time a summary of the most distinguished families who stood at the head of the historic life of the communes in the thirteenth and fourteenth centuries. At a time when the rest of Europe failed to produce any eminent citizens, these registers awaken our astonishment by their wealth of statesmen and soldiers, such as Hellas and Rome knew in the prime of their republican days. The cities show that at this period they had obtained complete emancipation of their political intellect from the Church, and display a brilliant picture of national citizenship, before the demon of party strife and the unchecked rule of the plebeians destroyed its brief splendour.

The Romans were accustomed to behold solemn deputations from various cities, even Pisa and Florence, appear on the Capitol, to implore a Roman noble to be their podestà. They themselves, however, had never hitherto gone to seek their Senator at the hands of any foreign town. If they were reduced to this step in 1252, while Innocent IV. dwelt at Perugia, they must have been driven thereto by the corrupt condition of their commune, and it was

assuredly not the jealous nobility, but the populace maltreated by this nobility, who, in consequence of a revolt, formed a resolution to confide the authority of the hitherto divided Senate to a single upright and sagacious man as Senator and Captain, and to seek for such a man outside Rome.

The Romans turned to Bologna, a city which, owing to its school of law, enjoyed at this time a European fame; its wealth was vast, and since Fossalta its strength of arms redoubtable; a king lay imprisoned within its walls. The Bolognese council recommended to the Romans Brancaleone degli Andalò, Count of Casalecchio, a man of ancient family, rich, respected, of severe republican spirit and an experienced jurisconsult.[1] Brancaleone belonged by nature to the strong characters of Hohenstaufen times, was of the same mould as Salinguerra, Palavicini, Boso da Doara, Jacopo of Carrara, Azzo of Este, and Ezzelino. He was endowed with the same energy as these men of iron, but with neither their love of intrigue nor their terrible selfishness. And having fought for Frederick II. even after the Emperor's excommunication in the Lombard wars, he was acquainted with these party leaders.

The Romans appoint Brancaleone degli Andalò as their Senator, 1252.

[1] Petri Cantinelli, *Chron.*, A. 1252 (Mittarelli, *Accessiones*). Matt. Paris, p. 860: *mense Aug. Romani elegerunt sibi novum Senatorem—Brancaleonem.* Savioli, *ad A.* 1252, and dissertation by Lazzari: *la prigionia di Brancal. de Andalò* (Bologna, 1783). It is related that when Prince Edward (afterwards King of England) came to Bologna, Brancaleone sent a hundred carriages laden with gifts to meet him, and that Edward declared that England was not as rich as Bologna. Marin Sanudo, *Istoria del Regno di Romania*, p. 155, in Hopf, *Chroniques Gréco-Romanes.*

If the Bolognese proposed a Ghibelline as Senator, it follows either that political colour must have been a matter of indifference to both cities, or else that the Roman populace inclined again to the Ghibelline side. That they should have veered to the Ghibellines after the death of Frederick II. is intelligible, since the Romans had no longer to dread the Emperor but the Pope. The election of Brancaleone, the friend of Palavicini and Ezzelino, was an actual protest against the temporal rule of the Pope, now returned from Lyons. It is difficult to believe that Innocent IV. ratified this election; more probably he merely recognised it from necessity, and for the moment was obliged to renounce the right to the election of the Senator which his predecessors had acquired.[1]

Conditions made by Brancaleone for undertaking the office.

Brancaleone declared himself ready to govern Rome, but acquainted as he was with the passions of the republicans, more especially with the uncontrolled ferocity of the Roman nobles, he endeavoured to safeguard himself against dangers. He demanded that the government with unrestricted powers should be surrendered to him for three entire years, and the sons of noble Romans as hostages for his personal security.[2] The Roman people must indeed have been sorely harassed by the tyranny of the noble factions when they acceded to such extravagant

[1] *Romani — Brancaleonem — pro triennio in Senatorem urbis elegerant, quia in Lombardia fuerat pro parte Friderici depositi, et iunctus amicitia Ezzelino tyranno hæretico—et etiam—Pelavicino;* Nichol. de Curbio, c. 34.

[2] Matt. Paris, p. 860. Vesi, *Storia di Romagna*, iii. 84, gives the number of hostages as thirty, Saviola as five.

demands, and placed the dictatorship for three years in the hands of a stranger. The law of the commune had hitherto only accorded the Senator a six months' term of rule: he had hitherto only been elected from among the civic nobility, and the principle, first introduced by the rule of Brancaleone, of appointing a stranger (*forensis*) as Senator, was not established until a hundred years later.

A law, painfully minute, defined all the duties and rights which the foreign Senator had to render or to demand. His income amounted on an average to 1500 gold florins or ducats for the half year, payable out of the municipal camera. Of this sum he received one-third when entering upon office; a second payment was made at the beginning of the third month; the last was deposited in the camera and only delivered into his hands when he had given a clear record of his term of office. The age was one of rude simplicity and far removed from the luxury of later centuries. The honour was still esteemed something in itself and was in demand on its own account.[1] A monthly sum of 750 thalers amply sufficed to meet the requirements of the Senator of the Romans, especially as the value of the sum was at least seven times as great as at the present day.[2]

The Senator *forensis* in Rome.

[1] Concerning contemporary life in Florence, see Villani, vi. c. 70, and the incredible description given by Ricobald of the time of Frederick II. (Murat., ix. 128).

[2] In 1362 Rome complained that the foreign Senator drew 2500 florins each half year, while the two Senators of the nobility had formerly only drawn 1500 each. The Pope reduced the salary to 1800 florins (Theiner, *Cod. Dipl.*, i. n. 363). About 1350 the Rector of the Romagna drew four gold florins a day; the podestà of

The senatorial curia.

The Senator was obliged to defray the expenses of his court out of his salary. Every podestà of a free city brought his curia with him from outside. The communes felt a certain pride in the pompous display made by their podestà, but with distrustful suspicion prescribed the number of his retinue, his servants, officials, and guards. The employés of the Roman Senate consisted of five notaries and six judges, of whom at least one must be a skilled jurisconsult, so that he might stand beside the podestà as *Collateralis* or assessor. They formed his cabinet, while the General Council of the Capitoline judges, or the *Assectamentum*, was summoned in all cases of importance, and listened to, by the Senator.[1] The Senator kept a guard of twenty men on foot and twenty on horseback, some knights as a kind of court retinue, and two marshals as executors of police.[2] From these officials, who were called the

Forlì, Faenza, Cesena, 60 fl. a month; in 1250 the podestà of Bologna had a salary of 2000 Bolognese lire a year (*Statut. Com. Bonon.*, p. 23, A. 1250, ed. Frati, Bol., 1863). The good gold florin (struck in Florence since 1252) was about equal to 1 ducat (zecchino). 96 gold florins make 1 pound of gold, 64 a mark. 1 florin = 1 lira or 244 denarii provins, or 120 Neapolitan grains. 1 florin = 26 *Solidi proven.* Vettori, *Il Fiorino d'Oro;* Garampi, *Saggi di osserv. sul valore delle antiche monete pontificie.* His observations correspond with the rate of exchange appended to the Florentine Codex of Cencius.

[1] The *Collateralis* of Brancaleone was Federigo di Pascipòveri, professor of both branches of law (Note H. to Savioli's *Annals*, A. 1252).

[2] The statutes of 1471 give the Senator 6 *judices forenses* and 4 *notarios maleficior. et* 1 *notar. marescallor.*, 4 *socios*, 8 *familiares domicellos* . . . 20 *equos armigeros, et berverios* 20 (*berœri*, from the old French *berrurier*, sharpshooter. Diez, *Etymol. Wörterb. der Roman. Sprache;* whence perhaps *birri* or *sbirri*?).

"familia" of the Senator, the officials of the city, or the authorities appointed by the populace, must be clearly distinguished. The number of these officials was very great, and their office encompassed by ceremonious pomp, for the city was emulous of rivalling the papal court in its wealth of official colleagues. The chancellor of the city, the notaries, scriniarii, and treasurers of the camera, the secretary (*scriba senatus*), the seneschal, the *justitiarii*, even the *vestararii* or masters of the treasury and wardrobe, in several corporations and of various grades, formed a considerable body of civic officials.[1] Civic officials.

When the foreign Senator came to the city, which had invited him, he was received with princely honours. He was led through the garlanded streets, amid the acclamations of the people, to the Capitol, where the captains of the regions, with their banners, and other magistrates awaited him on the steps of the Senate House. His procession to take possession of the Palace of the Commune was, beside the coronation processions of the emperor and the pope, the third great official spectacle that enlivened Rome. Before entering on his authority, he swore in presence of a deputation of parliament to observe the statutes of the city, to uphold the edicts against heresy, to maintain a peaceful and lawful rule over the city of

[1] All these officials are designated as *officiales Capitolii*. They also swore to the peace of 1235 as *vestararii*, *judices Palatii*, *Justitiarii*, *Scriniarii et Assectatores*. Sometimes one, sometimes two *Vestararii urbis* are mentioned in the public reports; 4 *Scriniarii* and 6 *Assectatores* appear in the peace of 1241. *De mandato D. Senatoris et ejus assectamenti* is a customary notarial formula in the statutes of the Roman merchant class.

Rome, her citizens, county and district, to protect the hospitals and all pious institutions, all widows and orphans, and to maintain all rights and customs of the Romans.[1] The executive power in every department of civic autonomy was placed in his hands. The Senator was the political head of the commune in peace and war, the supreme judge and general. He held the power of life and death. He received the oath of homage from the vassals of the city; he appointed podestàs in such places as recognised the jurisdiction of the Capitol; he sent ambassadors (*ambasciatores*) to foreign states; he made treaties with princes and republics. He proclaimed new laws concerning justice and finance by the voice of heralds or *præcones*. Finally, he inscribed his name, arms, and portrait on the gold and silver coins of Rome, which depicted him as kneeling before S. Peter, while the apostle handed him the banner of the investiture. It follows, therefore, that the popes had lost the right of coinage in the thirteenth century and surrendered it to the Roman people.[2]

Extent of the power of the Senator.

Wearing a scarlet robe trimmed with fur, a berretta

[1] *De juramento Senatoris* . . . Statutes of 1471, iii. n. 9. The indirect formula contained therein is ancient; the direct oath to the commune is not given. The long formula of oath for the podestà of Bologna, belonging exactly to the time of Brancaleone, has been preserved. (Frati, *Statuti di Bologna.*)

[2] Innocent III. said: *monetam nostram, quæ vulgo dicitur de Senatu* (*Reg. Ann.*, xi. ep. 135). Martin IV. censured the pro-senator on December 26, 1282, for striking coins: *quæ in civitate præfata cudi non possunt, nec debent absque licentia Sedis Apost. speciali* (Theiner, i. n. 414). Nevertheless there are no papal coins between Paschalis II. and Benedict XI.; this void is filled by the coins of the Senate.

(similar to that worn by the Doge of Venice) on his head, and surrounded by his court, the Senator represented the majesty of the Roman people at the popular games, at the accession of a pope, or on political occasions.[1] His dictatorial power was, however, moderated or restricted by the counsellors and popular commissions, and finally by the constitutional rights of election and approval which belonged to the popular assembly. In a republic, fear of tyranny is the sleepless guardian who keeps watch over rulers, and the supreme law is the responsibility of the ruler to the people. The brief tenure of the senatorial office was threatened by many dangers of party struggles and of popular revolts, and was frequently nothing but a splendid torture. Every step of the Senator was watched and counted. He was confined to the Capitol, and could only leave the city within prescribed limits of time and distance. All confidential intercourse with the citizens was forbidden him; he dared not even dine in the palace of a noble. As long as he ruled the city he was condemned to remain a widower, for his wife was not allowed to accompany him; nor could any near relative remain

This power is restricted by the people.

[1] Coins show us the figure and costume of the Senator in the thirteenth century, as, kneeling before S. Peter, he receives the banner (Vitale, *Tab.*, i.). Venetian coins show us, in similar costume, the doge, to whom S. Mark hands the banner (Murat., *Ant.*, ii. 652). A mosaic from Ara Cœli, now in the Palazzo Colonna, represents the Senator Giovanni Colonna (about 1279): he wears a violet mantle, a violet berretta trimmed with ermine, violet boots (Litta, article "Colonna," at the end). Nerini, p. 261, gives the copy of the picture of the cenotaph, which the Senator Pandulf Savelli erected to Honorius IV. in S. Sabina.

at his side.[1] Before he resigned his post (and the same rule held good of every other podestà) a syndicate was appointed, a court which had to examine into the manner in which the Senator and his officials had conducted their office. Two days before the expiration of the term the banditor publicly proclaimed from the steps of the Capitol, that sentence was to be pronounced on the illustrious Senator of the Romans, and for ten days the syndics gave ear to all accusers. Were he convicted of wrongful administration, he was sentenced to the loss of at least a third of his salary, and in case this sum did not suffice, was kept in prison until he had paid the required amount. If deserving of praise and honour, the city dismissed him to the republic whence he came, and probably, moreover, endowed him with the rights of citizenship, and permission to incorporate the letters S.P.Q.R., as the arms of Rome, with his own.[2]

The syndicate of the Senator.

Besides these various restrictions the acts of the Senator were subject to the ratification of the popular assembly. On every important occasion his herald summoned the people to a parliament, while the bell of the Capitol was tolled. If the parliament were a

[1] The same rule held good for all cities. *Ego vel mei de mea familia non intrabo domum alicuius in civitate, nisi pro prosequendo fures vel falsarios vel malefactores—vel causa emendi aliqua necessaria.* Thus in Bologna (Statute of 1250). See also the statutes of Modena, 46. Dissert. of Muratori on the office of podestà.

[2] Testimonies of praise of ex-senators of the fourteenth century are preserved in the Archives of Florence: the Archives of Bologna contain the patent of citizenship of April 15, 1493, given by the Conservatori to the ex-senator Ambrosius Mirabilia of Milan.

general parliament (*plenum et publicum*), the people held their deliberations in front of the Senate House, the citizens gathering on the piazza of the Capitol and on its slopes down to the present piazza of Aracœli. The Senator laid the proposals relating to home and foreign affairs before this popular assembly, and "the illustrious people of the Romans" gave their decision by voting, by raising their hands, or by acclamations, as to whether war was to be made on Viterbo, whether an alliance was to be formed with other republics, whether the emperor was to be recognised, or the exiled pope invited to return. They were here made acquainted with the letters of princes and of cities, and occasionally also listened to the voices of envoys, who appeared to present their demands before parliament. If only the committees of the people, constituting (according to the thirteen regions of the city) the great and lesser council (*consilium generale et speciale*), were summoned, the members found sufficient accommodation in the basilica of Aracœli.[1] The venerable church had now taken the place of the Temple of Concord, which had often served as the parliament house of the ancient Romans. In the nave of the Franciscan church the *Patres Conscripti* of the

The Parliament of the Roman people.

The basilica of Ara Cœli as the place of assembly for the great and lesser council.

[1] The formula: *In nom. D.—more Romano Generale et speciale consilium comm. Romæ fact. fuit in Eccl. S. M. de Capitolio per vocem præconum et sonum Campanæ* is frequently found in *sæc.* xiii.; or *congregato magnifico pop. Rom. in scalis et platea ante palat. Campitolii de mandato magnificor. viror. dominor. . . . dei gra. Alme Urbis Senatorum ad sonum camp. et vocem præc., ad parlam. ut moris est.* The decrees, *Reformationes*, were entered in the *Libri Reformationum*. The Roman books have perished.

mediæval republic, the Colonna, Pierleoni, Capocci, Frangipani, Savelli and Orsini, aristocrats or demagogues, Guelfs or Ghibellines, raised their voices, in rude and untutored eloquence, in invectives against emperor or pope. This church remained until the sixteenth century the scene of the parliamentary debates and of the tribunal of Rome.[1] But such debates only took place in the greater and lesser council, and only here did orators arise to oppose or support motions, which were then presented for ratification by the popular parliament and were afterwards proclaimed by the Senator.[2]

A glance into these tumultuous parliaments, over these courts and tribunals of judges on the Capitol, and the varied movements of the democracy with their leagues, colleges, and magistrates, and their curious elective system, would awaken the surprise and frequently the admiration of the beholder. But even this mediæval republic has vanished from the Capitol; among the city archives no parchment remains to recall its existence, and from the flanking towers of the transformed Senate House, as well as from the galleries of the courts, the inscriptions and the coats of arms of all those republicans who

[1] The Senator sat as judge *pro tribunali in quodam sedili marmoreo sito in eccl. s. M. de Aracœli juxta ostium respiciens palatium capitolii.* Casimiro, *Storia d'Araceli*, Doc. 19. The officials of the Capitol had taken possession of the monastery for judicial transactions. This proceeding was prohibited by a bull of Martin V., *dat Romæ ap. S. Apost. XIII. Kal. Febr. a XII.*, in Casimiro, p. 455.

[2] The General Council was a committee of several hundreds of men taken according to the quarters of the city. The *cons. speciale* resembled the Credenza in the cities of North Italy.

governed Alma Roma in the age of the Guelfs and Ghibellines have disappeared.[1]

Brancaleone enters on office as Senator in the autumn of 1252.

Elected in August 1252, Brancaleone came to Rome to enter on his office apparently in the beginning of November. He was accompanied by an imposing retinue of judges, notaries, and knights, who had all been taken into his service from Bologna, Imola, and other cities. It was the first time that the supreme magistracy of the city was entirely composed of foreigners, and that nobles of the Romagna governed the Roman republic. The Senator was also accompanied by his wife, Galeana. He found a condition of things existing in Rome, the regulation of which demanded a man of kingly strength of will. The curse of the city lay not in the turbulent spirit of the democracy, but in the lawless nature of the feudal nobles. Their power was far too great to render it possible that they could be overcome by the populace. Their fortresses and estates extended over the entire Roman territory; they had even divided the city among them, since they sat entrenched within fortified monuments, as it were in quarters, warring daily with one another from motives of revenge or ambition, and mocking at the Capitol, the dignities of which they appropriated, without paying any regard

[1] In 1889 the armorial bearings of some senators were discovered in the Palace of the Senate. They do not, however, reach farther back than the time of Martin V. Owing to the absence of reports, the civic constitution of Rome in the thirteenth century remains obscure. I am better acquainted with the constitutions of Todi and Terni (not to mention Bologna, Florence, Siena, or Perugia) than with that of Rome. But fundamentally the same system prevailed in all cities.

Lawless condition of the Roman city nobility.

to its laws. In other republics the nobility were subject to the communes and had been obliged to move their residence to the city. In Rome, however, they continued to retain their supremacy. We find no evidence to show that Roman barons on the Campagna were subject to the civic communes, as were in so many cases the nobility in the districts of Modena, Bologna, Padua, or Florence. The Roman nobles owned fortified places in the city, which they left, whenever necessity demanded, to seek safety among their armed vassals in their fortresses in the country. The source of their power was the Papacy itself. From these Roman families issued popes, who favoured old family dynasties, or founded new ones, of whose services they made use against the civic communes. Roman nobles sat in numbers in the College of Cardinals and among the prelates. The wealth of the Church flowed consequently into the bosom of noble families, and the highest offices remained in possession of a series of privileged houses. Colonna, Orsini, Savelli, Conti, Anibaldi, Frangipani, Capocci, were the most prominent *schiatte* or noble families, who in turn ruled and divided Rome, while they themselves were split into the parties of Guelfs and Ghibellines. Brancaleone exerted himself to fight against this hydra, and from the first fought it with success. Rome and the Campagna felt his energetic hand; the streets were rendered secure, and many a defiant noble might have been seen hanging from the battlements of his tower.

Brancaleone curbs the nobility.

The new Senator immediately claimed supremacy

over Latium. He demanded the submission of Terracina, in token of which he required the town to send deputies to the public games. But as he threatened to bring it to submission by force, Terracina turned to Innocent, who was still in Assisi. The Pope wrote a dissuasive letter to the Senator, entreated all the towns and vassals of the Campagna to resist the Romans, in case the Romans moved against them, and commanded the Sub-deacon Jordan, rector of the Campagna and Maritima, to collect troops.[1] The Senator left Terracina alone. Tivoli, on the contrary, was attacked as early as 1252, and soon after subjugated to the Capitol, the Pope, for important reasons, being unable to interfere.

2. Innocent IV. goes to Anagni—Tivoli renders submission to the Capitol—The Pope prepares to take possession of the Kingdom of Sicily—Manfred becomes his Vassal—Entry of Innocent IV. into Naples—Flight of Manfred—His Victory at Foggia—Death of Innocent IV., 1254—Alexander IV. returns to Rome.

We have seen that Innocent was forced by Brancaleone to return, and soon after made his residence in Umbria. The death of Conrad, with whom the Senator had stood in friendly alliance, induced the

[1] In Contatori, *History of Terracina*, p. 50, letter of the Pope to Brancaleone, May 7, 1253, Assisi. Other letters to Anagni, Terracina, Alatri, Veroli, Velletri, Segni, Piperno, Cora, Sezza, Ninfa, and to all the barons of Latium, especially to Landulf and Berald of Ceccano, Bartholomew of Supino, Berard of Piglio, Conrad of Scullcula, the *Domini* of Sermoneta, Posi, and Ceprano. *Ibid.*

Pope to hasten to the neighbourhood of the Sicilian kingdom, which a lavish fortune once more offered to his rule. He merely touched Rome; he addressed the people in S. Peter's, bestowed some fair words upon them, and implored the Romans to support his designs in Sicily.[1] He then repaired to Molara, a fortress of Cardinal Anibaldi, and journeyed onwards to Anagni.

Innocent IV. makes his dwelling in Anagni, 1254.

The Roman militia lay at this time encamped before Tivoli. The citizens of this fortified town made a desperate resistance against the attacks of Brancaleone; until they accepted the mediation of the Pope, sent envoys in humble guise to the Capitol, and tendered the oath of vassalage.[2]

Tivoli makes submission to the Capitol in the summer of 1254.

Tivoli, hitherto always a free republic, never ruled by any baron, occasionally the refuge of persecuted popes, and afterwards Ghibelline under Frederick II., had constantly been defended by the popes against the claims made by the Romans. We may remember that a war waged by Rome against Tivoli had been the cause of the expulsion of Otto III., that another war had brought about the restoration of the Senate. The little town, consecrated to the Muses and the Sibyl, and the favourite resort of

[1] *Negotium Eccl. recommendavit Romanis humiliter ac devote.* N. de Curbio, c. 38.

[2] Brancaleone still dates before Tivoli on May 10, 1254. . . . *B. de Andalo dei gr. Almæ Urbis Sen. III. et Rom. Pop. Capitaneus . . . Acta—in castris Romanor. super Tybur in papilione D. Senatoris pred. sub. nat. Dom.* 1254, *Ind. XII. die X. intrante Majo.* (Vitale). Likewise Nichol. de Curbio, c. 37, gives an account of the expedition of the Romans against Tivoli *infra octavam resur. Dom.* (1254), and of the mediation of the Pope which followed. The definitive peace was concluded in 1259.

the ancestors of the Romans, had been harassed for three entire centuries by their attacks, until it fell at length under their sway, and became a fief of the city of Rome. If Innocent IV. surrendered so important a town, the circumstance shows how insignificant was his temporal power in Rome, and in what need he stood of the favour of the Senator. His biographer assures us that, at the entreaty of the exhausted Romans, he interceded for peace, although he had reason to be irritated with Brancaleone. For the Senator, who was friendly to Manfred, had not responded to the Pope's request for aid; but, on the contrary, had issued a decree prohibiting loans to be made to the Pope, supplies to be brought him at Anagni, or troops placed at his disposal. He had, in short, erected obstacles in the way of the papal enterprise in Sicily. The subjugation of the kingdom to the sacred chair was not to the advantage of the Romans; by the surrender of Tivoli (at the end of the summer of 1254) Innocent, however, purchased the Senator's promise, to refrain from undertaking any hostilities behind his back while he was preparing to take possession of Apulia.

Anagni, the temporary abode of the Pope, the native town of the Conti (the enemies of the Hohenstaufens), and at this period frequently the scene of the papal election, had again become the centre of all ecclesiastical concerns. From this source the affairs of the kingdom were to take shape. Here Conrad when dying had entrusted the regency of his infant son, not to Manfred, but to the Margrave Berthold of

Berthold of Hohenburg, regent for Conrad.

Hohenburg, a relative of his wife Elizabeth. Berthold, the general of the German troops in Apulia, was powerful and respected during Conrad's lifetime; he was, however, hated as a foreigner, and his mission had not prospered. He attempted to make peace with the Pope. His envoys, Manfred himself among them, came to Anagni to implore the recognition of Conrad's rights, the custody of which, by his father's will, had been entrusted to the Church. Innocent, however, required the unconditional surrender of Sicily. After the expiration of a term which had been fixed by himself, he excommunicated Manfred, Frederick of Antioch, Berthold of Hohenburg, and Berthold's brother, with other Ghibellines. He had appointed his nephew, Cardinal William Fieschi, as legate in Sicily, and had commissioned him to collect troops in Ceprano. He gave him authority to raise money from the Roman banks, and for this purpose to mortgage all the property of the Church in the city and the Campagna; to obtain it either by force or favour from all occupied or unoccupied sees, by imposing a tax on Sicily, and by the confiscation of the estates of all Ghibellines who should fail to yield submission to the Church.

Sept. 8, 1254.

Manfred, regent for Conradin,

Berthold, discouraged by his excommunication, abandoned the regency to Manfred, who, after some reluctance, accepted it at the instance of the Sicilian lords. His position, however, was sufficiently precarious; several nobles and cities openly declared in favour of the Pope. Without means of carrying on the war, the young prince saw no way of escape other than that of submission to the Church.

Through his uncle, Count Galvan Lancia, he offered it to Innocent in Anagni, whereupon the Pope, filled with joy, had a treaty executed on September 27. Manfred entered the service of the sacred chair as vicar of a great part of the Neapolitan mainland, and received in addition Taranto and other territories given him by Frederick II., as well as the county of Andria as hereditary fiefs of the Church.[1] Such was the duplicity of the Pope, who held England bound by solemn treaty and had written to King Henry, that he would abide by his compact with Edmund even after the death of Conrad IV., and that he desired to see Sicily conquered by English arms. Not by one single word were these English negotiations now taken into account, and in an encyclical Innocent announced that he would maintain the crown of Jerusalem and the dukedom of Swabia for Conradin, adding that in the formula of the oath of homage, which they had to render to the Church, the Sicilians should insert the words, "without prejudice to the rights of the child Conrad."

concludes a treaty with the Pope at Anagni, Sept. 27, 1254.

Manfred perceived the intention of the Pope, which was first to render him innocuous and then to get rid of him. Necessity compelled him to appear on the frontier of Latium as a vassal of the Church, as soon as Innocent IV., surrounded by a swarm of revengeful Sicilian exiles, left Anagni, to take possession of the kingdom. The son of Frederick II.,

[1] Bull *Clemens semper*, Anagni, September 27, Raynald, n. 57, in Tutini, *De' Contestabili*, pp. 58 and 60. Nevertheless, the same Pope had already conferred Taranto on the Frangipani!

Manfred conducts the Pope into the kingdom.

holding the bridle of the Pope's horse, himself led the deadly enemy of his race across the bridge of the Liris into the hereditary dominions of his forefathers.[1] The Apulians, it is true, although wearied with the rule of Germans and Saracens, received the Pope with distrust. The cities hoped for communal liberties, which Conrad IV. would have tolerated as little as Frederick II., and more especially for deliverance from the oppression of the fresh taxes imposed by Frederick and the insupportable *Collectæ*. They consequently made submission to the Church, under the protection of which several communes, particularly in Sicily itself, had set up a republican government.[2] The barons on their side, hoping to recover the supreme jurisdiction and other privileges, did homage to the Pope in Capua. The brothers Hohenburg followed suit; these gentlemen abandoned their companion Manfred to his fate, in order to receive fiefs from the Church.

Innocent IV. enters Naples, Oct. 27, 1254.

Innocent IV. made his entry into Naples on October 27. The stiff-necked enemy of the Hohenstaufens, the Milan of South Italy, received the Pope with honours sincerely offered, and willingly acknowledged his supremacy. He saw the kingdom of the Normans return without a struggle to the rule of the Church, and hoped therein to retain it. But Manfred's ardent spirit suddenly broke off the

[1] Sunday, October 11. Itinerary of the Pope in de Luynes, *Commentaire—sur les—Diurnali di Messer Matteo di Giovenazzo*, note to section 55. These *Diurnali* have, however, since been proved spurious.

[2] Gregorio, *Considerazioni*, iii. c. v. p. 105.

unnatural and humiliating relations. He was surrounded by suspicion and treason; was insulted by the neglect of the exiled barons, and by the new favourites who had arrived with Innocent; the haughty demeanour of the cardinal legate, who demanded the oath of fidelity from him, while no further thought was taken of Conradin's rights, enlightened him with regard to his future; and the sudden murder by his followers of a nobleman, who was hostile to him, forced him to think of a speedy escape. Manfred's flight from Acerra, his nocturnal ride through the mountains of Apulia, his sudden appearance in Lucera in the midst of Mussulmans, his saviours, his manly attitude in the field, his first victories, the return of the Apulian cities to his side, the utter incapacity of the papal leaders, present an interesting spectacle of bravery, prosperity, and the transformation of circumstances. On December 2 Manfred defeated the enemy at Foggia. The legate fled from Troja; his army dispersed, and he himself hastened to Naples to bear to the Pope the tidings of the disaster.

Manfred escapes to Lucera.

Innocent lay ill at Naples in a palace that had belonged to the celebrated Peter de Vineis.[1] Here he died on December 7, 1254.[2] The judgment of his contemporaries is expressed by the dying words attributed to him, the utterance of his spirit, as in

Death of Innocent IV., Dec. 7, 1254.

[1] *Sulla Casa di Pietro della Vigna in Napoli*, Ricerche di Bartol. Capasso, in the Appendix to the *History of Pier della Vigna* by De Blasiis.

[2] Nichol. de Curbio, c. 43. The tomb of Innocent IV. of the year 1318 may be seen in the cathedral of Naples; the inscription contains the fanatical line: *stravit inimicum Christi colubrum Fridericum.*

his parting hour it vacillated between remorse and indignation. His weeping relatives surrounded his couch with unseemly gestures. "Why do you weep, wretched creatures?" he asked. "Have I not made you rich enough?"[1] The English chronicler relates a vision seen after the Pope's death. A malicious cardinal beheld Christ standing between Mary and a noble matron who held the image of the Church in her hands, while Innocent, kneeling before them, asked pardon for his sins. The honoured matron reproached him with three mortal transgressions: that he had made the Church a slave, had transformed the temple of God into a money-changer's, and had destroyed faith, justice, and truth, the chief pillars of the Church. The Saviour, addressing the sinner, said, "Go and receive the reward of thy deeds," and he was led away.

Innocent IV., the last great pope of the Middle Ages belonging to the school of Innocent III., is rendered celebrated by his victory over the Hohenstaufen empire. An unscrupulous priest, the acknowledged leader of the Guelf sympathies of his time, cunningly playing with treaties, shrinking from nothing that his own advantage dictated, he filled the world with revolt and civil war, and drew the Church into the current of worldly interests, which he termed sacred. The man of independent judgment must look with indignation on the condition to which Innocent reduced the Church, that of a perpetual camp, a diplomatic cabinet, or the office of a financier, and has difficulty in discovering extenuating circum-

[1] Matt. Paris, p. 897.

stances in the character of the time. The Pope succeeded to power as heir to the passions of Gregory IX. and of Gregory's predecessors, and undertook the task of defending the degenerate Church against equally unscrupulous opponents. As cardinal, Innocent had been held in high esteem by Frederick II., as Pope, the nature of things made him Frederick's inflexible opponent. "I have never," said the great historian of the age, "heard of such a bitter hatred as that between Innocent IV. and Frederick."[1] These hereditary party passions burnt no less fiercely in the soul of a pope than in the heart of an emperor, or of a warrior like Ezzelino. If in this century, filled as it was with soaring ambition, with enthusiasm for freedom and the noble pride of citizenship, with priestly arrogance and lust of tyranny, these passions impart to the figures of the time, to the republics and the ruling nobles, a character combined of the most valiant courage and the most degraded cunning, they undoubtedly mitigate its crimes and vices.

The death of the Pope, Manfred's victory at Foggia, the rout of the army, the remains of which Cardinal Fieschi had brought to Naples, roused the cardinals' dismay. The Saracens, it was said, were already approaching to seize the sacred college. The cardinal, who had accompanied Berthold, and Berthold himself alone prevented a disgraceful flight, and compelled a speedy election.

The history of the popes delights in immediate contrasts of characters. To Innocent III. succeeded

[1] Matt. Paris, p. 747.

the gentle Honorius III., to Innocent IV. Alexander IV., a pope who would have nothing to do with war, a corpulent, amiable gentleman, upright and God-fearing, but avaricious and weak.[1] Reginald, Bishop of Ostia and Velletri, was elected in Naples on December 12, 1254, and was consecrated as Alexander IV. on December 27. In him a member of the house of Conti, which in two great popes had already made war on the Hohenstaufens, again ascended the sacred chair. Alexander was a nephew of Gregory IX., was born at Jenna, a baronial fortress in the diocese of Anagni, standing over a wild gorge at the source of the Anio.[2]

Alexander IV., Pope, 1254–1261.

Endowed with but little talent, the new Pope tried to pursue the dangerous path which Innocent IV. and circumstances had prescribed. He acquired friends by gifts, he ratified the fiefs of his predecessors to the brothers Berthold, Otto, and Lewis of Hohenburg, and, to detach them entirely from Manfred's cause, even added the duchy of Amalfi. He negotiated, although unsuccessfully, with Manfred himself, who it was feared would suddenly appear before Naples. He even sent letters to Germany, assuring the boy Conradin of his benevolent inten-

[1] Salimbene, p. 232, and Matt. Paris, p. 897, who adds the unflattering epithet *simplex*. Joh. Iperius, *Chron. S. Bertini* (Martene, *Thesaur. nov.*, ii. 732), calls him *vir placidus, sanguineus, carnosus, humilis, jucundus, risibilis*, &c.

[2] Jenna or Genna was a fief of the Conti. On November 21, 1257, Alexander IV. bestowed the neighbouring *castrum de Trebis* (Trevi) on his nephew, Raynald de Genna. Theiner, *Cod. Dipl.*, i. n. 258, where for Genoa read Genna. Papebroch places the election on December 24; Mansi, however, correctly holds to the date given by Nichol. de Curbio. Note to Raynald, i., *ad A.* 1254.

tions, but soon after (on April 9, 1255) sent the bull to England, in which he finally ratified Edmund's enfeoffment, and gave the investiture of Sicily, Conradin's heritage, to the English prince. Thus Alexander IV. advanced along the labyrinth of his predecessor's policy. And, entirely like his predecessor, he unscrupulously translated Henry III.'s vow regarding the Crusade into the duty of conquering Sicily, and even summoned the King of Norway instead of going to the Holy Sepulchre to repair to Naples to aid the English king by his arms. In such wise the wars of their domestic policy were henceforward constantly explained by the popes as holy wars.

The scarcity of money was severely felt by the exhausted Church. Henry III. promised everything but performed nothing. The Pope, disappointed in the hope of wresting Sicily, the kingdom in which Manfred was recognised as regent by Conradin or his guardians, out of Manfred's hands, left Naples and went to Anagni in July, and thence at the end of November 1255 to Rome. Here in the meantime a momentous change had taken place.

Alexander IV. goes to Rome, 1255.

3. Brancaleone's Government in Rome—Rise of the Guilds—Their Position in Rome—Constitution of the Guild of Merchants—The Foundation of the Populus—Brancaleone, first Captain of the Roman People—His Overthrow and Imprisonment, 1255—Bologna placed under the Interdict—Emmanuel de Madio, Senator—Release of Brancaleone and his return to Bologna.

Brancaleone had already governed the city with great energy for three years. The insolent nobility, especially the Anibaldi and Colonna, bowed under his inflexible justice. He restored the jurisdiction of the Capitol over the Roman district and the baronial fortresses by force of arms, appropriated several estates of the Church to the city treasury, taxed the clergy and compelled them to appear before the civil tribunal.[1] Rome, entirely independent of both emperor and pope, had become a respected free state, under the rule of a noble-minded republican, who invested the office of senator with a genuine political importance. The people loved Brancaleone as their protector, and on the people he based his power.

Were definite information concerning his government forthcoming, we should find that under him the democracy rose to greater power, and that the

[1] Thus he deprived the bishopric of Ostia of large stretches of country. Clement IV. afterwards ordered the Senator, Charles of Anjou, to recover them from the Romans. *Quond. Brancaleone—tunc Senator urbis ripam Ostiensem maris et fluminis a foce maris usque ripam Romanam—Ostiensi Eccl.—concessas—per violentiem spoliarit* . . . without a date. From the *Dictamina Berardi de Napoli, Cod. Vat.*, 3977.

guilds attained a more secure constitution. We have seen these guilds in Perugia as armed defensive associations at war with the nobility, in the act of setting up a popular government, and, consequently, severed from the popes. The artisans formed political societies in 1223, under consuls, rectors, or priors.[1] In Milan, as early as 1198, they were organised in a corporation,—the Credenza of S. Ambrosius,— and at the same period the corporation of Florence had already attained a powerful organisation. In Bologna the artisans rose in 1228, founded a confederation, and forcibly obtained the right of a seat in the Palazzo Communale.[2] The fourth estate (that of artisans), hitherto excluded from the political affairs of the commune, everywhere arose, strove to obtain a share in the government, and to acquire importance by the side of the great middle class and the nobility, who had hitherto filled the communal council. Increasing luxury had rendered them numerous and prosperous, and the universal pressure towards power, both from above and below, made itself felt among this class, which had hitherto lived in obscurity. The remarkable nature of these classes, composed of men of peaceful occupations, which

The guilds of artisans in Italian cities.

[1] Document in Theiner, i. n. 127, where Honorius III. confirms the decrees of the legate Giovanni Colonna against the *societates, communitates seu fraternitates cedonum, pelliparіorum, lanificum, et aliorum artificum.* It further says: *Bailivi, Consules, Rectores vel Priores fraternitatum, societatum, familiarum, seu quarumlibet artium.*

[2] Savigny, iii. 118, 120; Hegel, ii. c. vi. The popular commune continued to exist in Bologna with the Anziani of the guilds, beside whom the *consules mercandarie et cambie* appear. Docum. of the year 1271, in Theiner, i. n. 318.

began to take in hand the government of the republics, and which, in the beginning of the fourteenth century, changed or dissolved the ancient communal constitution, destroyed or humiliated the nobility, and resulted in a turbulent plebeian rule, is nowhere more clearly represented than in Florence, and is nowhere more obscure than in Rome.

The guilds in Rome.

Since the days of antiquity the guilds of handicraftsmen had existed in the form of practical corporations, although, in the period of which we speak, they remain unnoticed in documents. The old term for them, of *Schola*, had in general been exchanged for the Latin *ars* (*arte*, art, guild), although the word *schola* may also be found at this date. In the time of Brancaleone they had their presidents under the name of consuls or *Capita artium ;* but no document mentions their relation to the commune on the Capitol. Nevertheless a little later, in the year 1267, we find the President of the Guilds in parliament beside the Consul of the Merchants and taking part in political affairs.[1] How many guilds may have been recognised in Rome in the time of Brancaleone we do not know. In 1317, in conformity with the constitution, there were thirteen guilds in Rome, of which the societies of the Merchants and of the Husbandmen (*ars bobacteriorum*) were, as in ancient times, the most esteemed.[2]

[1] On November 18, 1267, there assembled on the Capitol the *gen. et spec. consil. . . . et convenientib. ad dict. consil. consulib. mercator. et capitib. artium Urbis Rome. . . .* Archives of Siena, n. 869. As early as 1263, a *capitaneus populi et rectorum artium et societatum civ. Tuscanæ* is found in Tuscanella. Turiozzi, *Doc.*, n. x.

[2] Statutes of the Roman merchants, the oldest part of which dates

The guild of merchants.

As in all flourishing towns in Italy, so also in Rome, the merchants formed the most influential guild. As early as the year 1165 they formed with the sailors (*Marinarii*) a respected association, their consuls, as plenipotentiaries of the city of Rome, concluding a treaty of commerce with Genoa. We have seen them as a monied aristocracy, who made loans to Frederick II. and the popes, a fact which proves that Rome, where Florentine and Sienese banks already existed, was, owing to its connection with Sicily, Byzantium, and the East, a by no means inconsiderable centre of commerce. The guild of merchants reconstituted itself in a new form in 1255, the third year of Brancaleone's rule, whence we conclude that, owing to his means, the Roman guild system acquired a new vigour.[1] Henceforward the merchant guilds had four consuls, elected annually, twelve consiliarii, notaries, and other officials.[2] They

from 1317 : *reformatum fuit per consules Bobacteriorum et mercator. urbis et XXVI. bonos viros electos per. Rom. Pop. ad reformat. urbis et artium urbis, quod XIII. artes erunt in urbe. Inter quas esset una ars mercatores, lanajoli, Bammacarii mercerii accimatores et cannapaciaroli prout in libro camere Urbis plenius continetur.* The *Statuta nob. artis Bobacteriorum* were revised in 1407, were first printed in 1526, and reprinted in 1718 and 1848, Rome. This guild, which proudly recalls memories of Cincinnatus, elected four consuls, four defensors, one camerarius, and thirteen consiliarii.

[1] Their statute says : *consules teneantur—facere rationem de omnib. —per instrum.—et non aliter de aliis questionib. præteritis ante tempus, quo mercatantia se choadunavit, scil. A.D. MCCLV.* If Civita Castellana had *consules mercator.* as early as 1229 (Theiner, i. n. 252), Rome must assuredly have also had them.

[2] *Item ordinamus, quod—fiant quatuor Consules, qui sint—mercatores—scil. duo de tagliarolis* (drapers), *et duo alii qui faciant mercatantiam pannor. et XII. consiliarii viri de tagliarolis et IV. de*

assembled in the church of their guild, S. Salvatore in Pensilis (also called in Sorraca) beside the Circus Flaminius, where in the street (*ad apothecas obscuras*) that had arisen from that Circus itself (the mediæval commercial quarter) their houses of business stood; and where, from the piazza of the "Market Tower" as far as the Capitol, the judges of the guilds sat to decide the controversies of the members of the corporation.[1] Like every other guild the merchants elected constitutional authorities (*Statutarii*), to examine their laws and to issue new ones. These laws, as well as the register of the guild in which they were inscribed, were brought for ratification to the Senator then ruling on the Capitol.[2] The Statutes of the Roman guild of Merchants which

franciatolis (fringe makers). The consul annually received five lire provins, two pounds of pepper, two ounces of saffron. There were notaries, *scriniarii*, *Camerarii*, *Sensales* (cashiers; correctly explained by Diez as *censualis*. Substantive: *Sensaria*). Bankrupts were called *falluti*.

[1] In 1377 the Senator Gomez de Albornoz confirmed the statutes with the supplement: *mandantes, quod dicte artis Consules præs. et futuri debeant a turre pedis mercati supra versus palat. Capitolii et non alibi dieb. juridicis horisque ear. dum jus redditur in curia capitolii, ad reddendum jura inter homines dicte artis—personaliter residere.*

[2] This *confirmatio* was registered by the *Scriba Senatus*! The first is that of 1296, when Pandulf dei Savelli was Senator. The ratifications then follow in great number; they are important as determining the annals of the Senate. Among them is the *confirmatio* of the Senator Ursus Orsini, dated March 28, 1346, very neatly written by Cola di Rienzo, in his capacity of *Scriba Sen.* The Book of the Guild, consisting of 149 pages of parchment, was first used by me, a Roman, Ballanti, having drawn my attention to the Archives of the Roman merchants, in 1863, and Signor Giovanni Rigacci, the Keeper of the Archives, having given me access to the MSS. The *Statuti dei mercanti di Roma* were then edited by G. Gatti in 1887.

have come down to us were collected in 1317 and written down in the Latin language; they nevertheless preserve many usages of older date.[1] They deal solely with the administration of the guild, and do not indicate any political circumstances or any share in the concerns of the state, except as regards the supervision of the mint, in order to prevent the coining of false money.[2]

Neither the merchant guild nor any other obtained any permanent influence in the affairs of the Roman commune; held down, as they were, by the power of the clergy, the aristocracy, and the proprietors of the soil. The ancient consular and senatorial families of the great burgher class of the first commune continued to retain the power on the Capitol, and the treaty with Perugia and Narni, of the year 1242, shows the predominance of the nobility in the Roman Senate. Meanwhile, during the internal feuds of the time of Innocent III. and Gregory IX., and afterwards during the absence of the popes, the lower

[1] The Codex begins: *In n. D. Amen. Ad hon., laud. et rever. D. n. Salv. J. Ch. et B. M. matris ej. ac B. Apolor. P. et P. et omn. sanctor. et ad hon. . . . mag. nob. et pot. viri Dni. Raynaldi da lecto dei gra. Alme Urbis Regius in urbe Vicarius nec non ad . . . pacif. stat. totius universit. mercatantie urbis. Nos Angelus Blasii et Andreas Rubeus, Rogerius Romanuccii et Jacob. Catellini Consules mercatancie Urbis. . . .* Then follow the *Statutarii* and the *Consiliarii merc. urb., congregati in eccl. B. Salv. in Pensilis de Urbe . . . hoc stat. et subscripta capitula facimus et compilamus sub a. D. Millo CCCXVII. Ind. XIV. m. Julii die XVI. Pont. D. Iohis. PP. XXII.* The formulæ of oaths for the officials follow.

[2] Paragraph, *de moneta facienda . . . consules teneantur—requirere dom. senatores—quod fieri faciant in urbe bonam et legalem monetam de argento grossam et provisinum seu denarium minutum, super quo dicti dom. senatores—habeant consilium cum camerario mercatantiæ.*

strata of the people pressed upwards even in Rome and endeavoured to alter the constitution of the commune. The official title, "Captain of the Roman people," which Brancaleone first added to that of Senator and adopted in documents in 1254, connotes a popular commune (*populus*) formed out of the lower classes of the citizens. Events, such as the democratic revolutions in Bologna, Milan, Florence, and Perugia, must also have taken place in Rome. For the rupture in the Senate under Innocent III., when the democratic party raised to power trusted men (*boni homines*), may in the first instance have been the origin of the later formation of a populus, or federation of all the guilds.[1] That this was in harmony with the spirit of the age, is shown by an important revolution in Florence. The citizens there rose against the Ghibelline nobility in October 1250, organised a new popular commune (*popolo*) and put forward Uberto of Lucca as leader of the people (*Capitano del popolo*).[2] Similar proceedings must undoubtedly have taken place in Rome. The office of a captain of the people, equivalent to that of popular tribune, was introduced into Italian cities about 1250, so that the podestà remained the

The captain of the people.

[1] When Richard di Sangermano says that the *Romani plebei communitates* forced the Senator John of Poli to abdicate in 1237, of whom does he speak, if not of the guilds of artisans?

[2] Villani, vi. cap. 39. Bonaini shows that as early as May 7, 1250, there was a *Capitan. Populi* with Anziani in Perugia (*Arch. Storico*, xvi. i. p. xliii.). In Genoa a *Cap. P.* was put forward in 1256. In 1258 I find the first (Lupicinus) in Terni. In 1254 Boniface Castellano of Bologna was the first *Cap. Pop.* in Todi. Muratori (*Antiq. Ital.*, iv. 666) compares the office to that of *Tribunus Populi* of the ancients.

political representative of the communes, while the captain was invested with military power and a part of the judiciary authority. In Rome, it is true, the captain of the people appears but transitorily, since there were, as a rule, two senators in the city; and Brancaleone, who in 1252 united the divided authority in his own person, called himself "Senator of the illustrious city and Captain of the Roman people."[1]

Nobility as well as clergy, and above all the offended house of Colonna, contributed to work the fall of the great Bolognese. When, on the expiration of his three years' term of office, the populace desired his re-election, his adversaries overwhelmed him with accusations before the syndicus; they complained that the Romans desired to perpetuate the tyranny of a foreigner, and finally they attacked the Capitol. Brancaleone, forced to lay down his arms, surrendered to the people, was kept by them in custody in the Septizonium, but was soon handed over to the nobles and then confined in the tower of Passerano.[2] This noble man, whose death was desired both by barons and cardinals, was hopelessly doomed, had he not been protected by the Roman hostages retained in Bologna. His courageous wife

Fall of the Senator Brancaleone, Nov. 1255.

[1] *B. de Andalo dei gr. Almæ Urbis Sen. Ill. et Ro. Po. Capitan.*, in the document of May 10, 1254, quoted above.

[2] Gul. de Nangis, *Gesta Ludovici IX.* (Duchesne, v. 361), A. 1255: *Branchaleon—de consilio quorund. Cardinalium et—Nobilium—obsessus fuit in Capitolio. Et dum se dedisset, pop. posuit eum in custodia apud Septemsolis—tandem traditus nobilib. in quond. castro S. Pauli quod dicitur Passavant, fuit incarceratus et male tractatus.* Passavant can be no other than Passarani.

Galeana escaped from Rome, and united her entreaties to those of her husband's relations, imploring the council of Bologna not to surrender the hostages, but to compel the release of their fellow-citizen. The republic of Bologna immediately sent some men held in high esteem to Rome, but the Pope, who had ventured to the city on the fall of the Senator, denied their request, and demanded the unconditional surrender of the hostages. Bologna steadfastly refused the demand. The nobility and several cardinals now urged the Pope to place the Guelf city, the ancient protectress of the Church, under the ban. But even the interdict itself failed to bend the indomitable courage of the Bolognese; the free citizens showed that the terrors of the anathema had lost their force, and still kept the Roman hostages in strictest custody.[1]

Meanwhile, the victorious party proceeded to the election of a new Senator. Their choice fell on Martinus della Torre, a Milanese, but as Martinus would not accept the honour, Emmanuel de Madio was appointed Senator, while another candidate, Emmanuel, a citizen of Brescia, was elected Capi-

[1] Matt. de Griffonibus (Mur., xviii. 114). Lazzari and Savioli, *ad A.* 1255, have corrected Matt. Paris, who wrongly gives 1256 as the date of Brancaleone's fall. I have seen an account of the year 1255 in the Archives of Bologna, which has been incorrectly read by Savioli (iii. i. 289), and which says: *die sabati XIII. m. Nov. scriptum per potestatem massario comm. Bononie D. Uguitioni de Arientis et C. Auliverio de Axinellis et D. Nerio Rainerio et D. Henrigipto de la Fratta et D. Vinasar. notar. et D. Gerardo de la Stalla Ambaxatoribus Cois Bonon. ituris pro facto Senatoris Rom., libr. CCXVI. bon.* This shows that Brancaleone was overthrown in the beginning of November 1255.

taneus Emmanuel was a citizen of Brescia, had been podestà of Piacenza, and, forced to fly before Ezzelino, had come to Rome.[1] The election of a stranger, even after the fall of Brancaleone, shows that the nobility did not yet venture to remain indifferent to the demands of the people. The suppliant letters of the Roman hostages in Bologna, as well as the steadfastness of the Bolognese, who, having seized two relatives of Alexander IV. in the Romagna, now sent them back to the Pope, finally effected Brancaleone's release, to which result the threatening attitude of the populace may also have contributed.[2] Brancaleone was compelled to appear before the syndicus of the new Senator to renounce his rights, which he did with the explanation, that he was thereto compelled by force. On his departure from Rome in August or September 1256, the Roman nobles sent the syndicus, Andrea Mardone, after him to Florence, and induced the Florentine council to forbid the dreaded ex-Senator to leave the city until he had renewed the renunciation to which he had sworn in Rome. Brancaleone yielded, but with the same reservation of his rights towards the Roman commune and to private persons; rights which, as

Emmanuel de Madio, Senator, 1256.

Brancaleone released from prison.

[1] Galvan. Flamma, c. 290, A. 1256. *Martinus de la Turre Senator Rom. efficitur—tamen—renuntiavit. Tunc Emanuel Potestas—Senator Rom. efficitur in malum suum, quia per Pop. Rom. mactatus fuit.* E. de Madiis was podestà of Genoa in 1243. Continuation of Caffarus, *ad A.* 1243. He entered on his office at latest in the spring of 1256. Ottavio Rossi, *Teatro di Elogi Historici di Bresciani Illustri*, p. 87.

[2] Savioli, iii. ii. n. 699, 700, gives the letter of complaint of the Roman hostages, and the answer of the Romans. These letters, however, seem to me very doubtful.

he explained, he had never renounced. Doubtless these included the demand for a portion of his salary withheld by the Camera. He then returned, covered with honour, to his native city, which, on the surrender of the hostages, was released from the ban.[1]

4. Fall of Emmanuel de Madio, 1257—The Demagogue Matteo de Bealvere — Brancaleone Senator a second time—Punishment inflicted on the Nobility—Destruction of their Towers in Rome—Death of Brancaleone, 1258 — His honourable Memory—His Coins—Castellano degli Andalò, Senator—His Fall and Imprisonment—Napoleon Orsini and Richard Anibaldi, Senators — Fall of the House of Romano — The Phenomenon of the Flagellants.

The rule of Emmanuel de Madio was stormy and unfortunate. A creature of the Guelf nobility, he served merely party ends, and by his weakness or bad government irritated the populace, which had been the object of Brancaleone's care. The Anibaldi, Colonna, Poli, Malabranca, and other nobles seized the power; the old state of confusion was revived, and the odious reaction of the nobles engendered civil war. The populace, which longed for a return of the firm rule of Brancaleone, rose, and fights took place both on the Capitol and in the streets.[2] The

[1] Report of September 25, 1256, from Florence, in Lazzari, n. 1. . . . *Actum in civ. florentie in S. Johanne præsentib. Dom. Alamanno de Turre potestate florentie.*

[2] Letter of Sienese merchants from Rome to Rufinus de Mandello,

revolt became general in the spring of 1257. The guilds united, and raised Matteo de Bealvere, a master baker of English origin, as their leader in the civil war. Emmanuel was slain, a portion of the nobility expelled, and the Pope himself forced to withdraw to Viterbo, where he remained until the end of May.[1]

Fall of the Senator Emmanuel de Madio, 1257.

The Romans immediately recalled Brancaleone. He came not without danger, for the Church placed an ambush in his way. The noble Bolognese, who had so vigorously governed the burghers for three years, and had protected them from the tyranny of the nobles, was received with rejoicings. The senatorial power was again undoubtedly awarded him for three years.[2]

Brancaleone once more Senator.

podestà of Siena, in which they speak of a combat on April 20 (1256). *Prelium fuit—crudelissimum inter nobiles—et Popul. Rom.—inceptum per Anibaldenses in Capitolio ad pedem turris Johis. Bovis;* the people attack the Capitol, *in quo erant Senator et Capitaneus;* they take the tower of John Poli (*Torre di Conti*), of the Anibaldi and of Angelus Malabranca; Anibaldi de Anabaldeschis is slain. G. Milanesi (*Giorn. Stor. degli Archivi Toscani*, 1858, ii. 188) mistakenly assumes from this that Brancaleone was taken prisoner three times. He was only imprisoned once. That this letter belongs to the year 1256 is shown by reports in the Archives of Siena, according to which Rufinus Rubacontis de Mandello was podestà throughout the year 1256.

[1] Matt. Paris, *ad A.* 1258 (with false chronology): *Confederatis igitur popularib. de consilio cujusd. Anglici, concivis eor., magistri pistorum in urbe, Mathei dicti de Bealvere, facto impetu vehementi. . . .—Papa—se subito contulit Viterbium.* The *Regesta* of Alexander IV. show that he was in the Lateran on March 12, 1257, in Viterbo on May 29.

[2] Pier Cantinelli, p. 236, *ad A.* 1257: *eo vero anno reelectus fuit Dom. Brancal. . . .* G. de Nangis, A. 1257. The same writer's *Gesta Lud. IX.* (Duchesne, v. 370). Paris is mistaken in his date,

Brancaleone entered on his second rule with a severity aggravated perhaps by a thirst for revenge, but rendered necessary by the condition of the city. He banished all the oppressors of the people, or else condemned them to prison or to death; two of the Anibaldi, relations of Cardinal Richard, were sentenced to the gallows. He formed a treaty with Manfred, who had now established his rule over Sicily and the mainland, and who already cherished hopes of the crown; the object of the treaty was the annihilation of the Guelf party. The inconsistency of Brancaleone, a republican by character and inclination, forming an alliance with the national enemy of Italian civic freedom, originated in the attitude of the city of Rome to the Pope. If the Pope appears as the natural head of the Guelfs and as the protector of municipal independence, he comes forward in Rome as a Ghibelline, as the defender of the feudal barons, by whose help alone he held the democracy in check. Alexander IV. excommuni-

as also in his belief, that, under the leadership of the baker, the populace released Brancaleone. He is acquainted with but one imprisonment, but erroneously repeats it in a second year. Brancaleone remained in Bologna until recalled by the Revolution. Docum. 2 in Lazzari, it is true, does not show that he was in Bologna on May 9. We may, however, conclude that he was back in Rome before May 30, 1257. The documents of the Senate fail us for the time immediately subsequent to Emmanuel's fall. It is possible that he was at once succeeded by another foreign Senator; this seems to follow from a passage in Manfred's Manifesto to the Romans (Foggia, 24 Maij 1265; Cappasso, *Hist. Dipl. regni Sic.*, n. 460), in which he speaks of Rome being governed by the following men: *Brancaleonis bononiensis, Manuelis de Majo, Boncontis urbevetani, nec non. ill. comitis B* (?).

cated Brancaleone and his advisers. His impotence was answered with derision. The Senator explained that the Pope had no right to excommunicate the Roman magistrate. He publicly proclaimed an expedition of revenge against Anagni; he announced that the native town of the Pope was to be rendered subject to the Senate, if not razed to the soil. Alexander's relatives, sent to Viterbo by the dismayed commune of Anagni, threw themselves with entreaties at the feet of the Pope; Alexander was consequently forced to humble himself and sue for mercy at the hands of the dreaded Senator,[1] whom he probably released from the ban. His civil power in Rome was no longer recognised.

The Pope excommunicates the Senator.

Brancaleone now determined to break the defiance of the aristocracy by a master-stroke; he ordered the towers of the nobles, fortresses for the oppression of the populace, prisons for debtors, dens of infamy and violence, to be pulled down. By this proscription sentence of demolition was passed on more than one hundred and forty strong towers, against which the populace rushed, thirsting for destruction. The number of fortresses destroyed may afford some idea of the multitude that existed, for although the just law may have applied to the greater number of the towers, it is difficult to believe that all were overthrown by Brancaleone's orders, and many belonging to Ghibellines or friendly nobles probably escaped. If we may roughly estimate the towers of the nobles in the city at three hundred, may allot three hundred to the city walls, and reckon an equal number for the

Brancaleone destroys the fortresses of the nobility in Rome.

[1] Matt. Paris, p. 959.

churches, the Rome of this period must have presented the belligerent aspect of a city raising nine hundred towers towards the skies.[1] When we remember that several of these towers formed an essential part of the houses of nobles and were constructed on the buildings of antiquity, it follows that this systematic destruction must have involved the ruin of many historic monuments. Brancaleone may consequently be numbered amongst the worst enemies of the Roman monuments, and a new period of the ruin of the ancient city must take its date from him.[2] In the fourteenth century it was reported that he had destroyed the Temple of Quirinus.[3] The palaces dedicated to destruction were abandoned to pillage, and on this occasion many domestic archives with their documents must have perished.

[1] Three hundred towers belonging to private palaces are rather too few than too many for Rome, since even Viterbo numbered 197 (Bussi, p. 131). As late as the time of Martin V. there were still forty-four towers in the Borgo of the Vatican alone. Torrigius, *le sacre grotte*, p. 407. Concerning the towers of the Italian cities, see G. Gozzadini, *Delle Torri Gentilizie di Bologna*, Bologna, 1875, Introduction.

[2] *Dirui fecit—nobilium turres circiter centum et quadraginta—*: Matt. Paris, p. 975 (A. 1258). William de Nangis places this better in 1257: *turres urbis dejiciens: præter turrim Neopoleonis Comitis* (an Orsini). In 1248 the Ghibellines overthrew thirty-six palaces and towers of the Guelfs in Florence, among which were some towers 130 ells in height. The building was undermined, propped up with wood, the wood was burnt, and thus the tower fell. Villani, vi. c. 33.

[3] Fragment of the description of the city by Johannes Cabbalini de Cerronibus (in Urlichs, *Cod. urbis R. Topogr.*, p. 144): *in eod. Quirinali monte fuit templum Quirinale Romuli demolitum ab olim pro medietate regimine peregrino Branchaleonis Bononiensis tunc senatoris urbis.*

The sight which the city presented after this act of justice must have been sufficiently appalling. Rome, however, like all other cities, was accustomed to such destruction. The citizens of these times never enjoyed the feeling of a secure and well-ordered ancestral city. They walked in the midst of ruins, and saw the number of these ruins increase day by day. The barbarous destruction of houses was almost as common an occurrence as the issue of some fresh police regulation in the present day. The cities of the Middle Ages were involved in almost constant revolution, and streets, walls, and dwellings reflected in their rapid transformation the character of the party quarrels and the disturbances of an ever-changing rule. Whenever the people rose in revolt, they pulled down the houses of the enemy; when one family made war upon another, the palaces belonging to the vanquished were destroyed; when the State authorities exiled the guilty, their dwellings were torn down; when the Inquisition discovered heretics in a house, the house was, by order of the government, levelled to the ground.[1] When an army conquered a hostile city, it threw down its walls, even if it did not destroy the city itself. After the celebrated battle of Monteaperto, the indignant Ghibellines were only restrained from destroying Florence by the generous reluctance of a noble citizen; and

[1] The formula used therefor in *sæc.* xiii. : *domum quoque ipsius (heretici)—judicamus funditus diruendam, ut sit de cetero receptaculum sordium, quod multis temporib. fuit latibulum perfidorum.* The Visconti in Milan were the first to order the houses of persons under the ban to be spared. Galvan. Flamma, p. 1041, and Murat., 51, Dissertation.

even at the end of the thirteenth century the anger of a pope sufficed to level an entire city with the soil. Boniface VIII. had salt scattered over the ruins of Palestrina, as Barbarossa had formerly had it sown over Milan.

In the ruin of these towers the families were also ruined; many nobles expiated their guilt by exile, confiscation of property, or execution. But peace and security now prevailed in the city and on the Campagna, where the predatory rabble was annihilated.[1]

Brancaleone ruled, feared and loved, for but a short time. Fever laid hold of him while he was besieging Corneto, a place important on account of its corn-market, which had refused him the oath of homage. He had himself conveyed to Rome and died in the full vigour of life in 1258.[2] The unanimous judgment of contemporaries honoured Brancaleone d'Andalò as the inexorable avenger of

Death of Brancaleone, 1258.

[1] Matt. Paris says *Bedeweros;* these are the *Beroveri* or *Berverii*, men armed with light weapons, who fought in the front ranks, and similar to the *Ribaldi*, a name now applied to brigands.

[2] *In obsidione Corneti infirmitate correptus, Romam se fecit deferri, et ibi vitam finivit.* Again in 1257, in W. Nangis (*Gesta Lud. IX.*, p. 370). On July 6 Alexander IV. was still in Viterbo; he probably only went to Anagni on Brancaleone's death. A document in the City Archives of Terni shows that Brancaleone was still alive in April 1258. Narni and Terni elected him as arbitrator; his envoys pronounced their Laudum on April 18, 1258, *in S. Trinitatis de castro Mirande: Petrus Riccardi de Blancis et Jacobus D. Petri Johis de Ilperino Ambasciatores nob. viri D. Brancaleonis Ill. Senatoris Urbis et commun. incliti Almi et Amplissimi Pop. Romani . . . Datum A. Dni. MCCLVIII. tpre D. Alex. IV. PP. Ind. I. m. Aprelis die XVIII.* (Parchment n. 160, with other reports concerning the same compromise.)

all injustice, the firm friend of the law and the protector of the people—the best eulogy that can be bestowed on a ruler in any age. In this great citizen of Bologna, the practical pupil of its school of law, reappears an ancient spirit, who finely embodied in himself the republican energy of his age. For his glory, suffice it to say, that for several years he was able to maintain order in the corrupt city, and to give it a legitimate freedom. Had he enjoyed a longer reign he would have introduced great changes in Rome's relations to the Pope, and even the long tyranny of a man of his stamp could not prove otherwise than beneficial to the inhabitants.

The people honoured the memory of its best Senator in a curious fashion; his head was deposited like a relic in a valuable vase, and placed to his lasting remembrance on a marble pillar—a strange apotheosis, but a trophy that adorned the Capitol more than the Carrocio of Milan.[1] The recollection of Brancaleone has vanished from Rome, where neither monument nor inscription recalls his name. His coins alone have been preserved. They display on one side the effigy of a lion passant and Brancaleone's name, on the other, Rome enthroned, holding in her hands an orb and a palm and the inscription, "Rome, head of the world." It was consequently the first time that the name of a senator was engraved on the Roman coins, which

The Romans place Brancaleone's head on the Capitol.

[1] Matt. Paris, p. 980. The Pope undoubtedly caused this relic to be afterwards destroyed, unwilling that beside the mythic heads of the apostles the veritable head of a senator should be worshipped by the people.

bore in addition merely symbols of secular authority. The portrait or name of S. Peter, which had hitherto been customary, was omitted.[1]

The Pope, released by death from the formidable enemy in his own house, hoped to re-establish the dominion of the sacred chair in Rome. He sent envoys to the city and forbade the election of the new Senator without his sanction. The Romans, however, jeered at his command. On his deathbed Brancaleone had counselled them to elect his own uncle as his successor, and thus Castellano degli Andalò, hitherto prætor of Fermo, was appointed Senator.[2] In vain the Pope demanded his right of election, in vain he asserted that even as a simple Roman citizen he had a voice in the election of the Senator. Alexander IV. was at the time at Anagni, nor did he ever again come to Rome. Castellano, following the example of his nephew, secured his safety by means of hostages; his position, however, was more difficult and his fall inevitable. The exiled nobles, as well as the Pope, undermined his power, so that it was only by an incessant struggle that he maintained his rule until the spring of 1259. The populace, who had been gained by bribes, rose against Brancaleone's uncle. Driven from the Capitol, Castellano threw himself into one of the Roman

Castellano degli Andalò, Senator, 1258.

[1] BRANCALEO S.P.Q.R.—ROMA CAPVT MVNDI. Similarly the succeeding coins of the Senate.

[2] Castellano, the son of Andalò, had several brothers, among them the celebrated Loderingo, the founder of the Order of the *Frati Gaudenti*, and Brancaleone, whose son was the great Senator of Rome. Genealogical tree of the house of Andalò in the *Cronaca di Ronzano* by G. Gozzadini (Bologna, 1851), p. 89.

fortresses, where he made a manful resistance against the besiegers.[1] Through the influence of the Pope two native Senators were now again appointed: Napoleon, a son of the celebrated Matthew Rubeus of the house of Orsini, and Richard, son of Peter Anibaldi.[2] Although, with this revival of an ancient custom, the Guelf party rose again to power, these Senators nevertheless continued to uphold the independence of the Capitol. They renewed the peace, which had been concluded with Tivoli by Brancaleone and Emmanuel de Madio, in such wise that the town was obliged to surrender itself once for all as a vassal to the Roman people. Henceforward Tivoli not only paid a yearly tribute of one thousand pounds, but also received a podestà appointed by the council of the Roman commune under the title of count. It meanwhile retained the right of living according to its statutes, of appointing a *Sedialis* or city judge, a *Capitaneus Militiæ* or popular tribune, and other magistrates.[3]

Napoleon Orsini and Richard Anibaldi, Senators, 1259.

[1] *In quodam castro Romæ—se strenue defendit, ne a nobilitate sui nepotis—deviaret—.* Matt. Paris, p. 986.

[2] A letter of the Pope to Terracina of May 18, 1259, mentions both the Senators (Contatori): *nob. viri Neapolionus Mathei Rubei, et Ricardus Petri de Anibaldo Senatores urbis.* . . . The revolution must consequently have taken place in April at latest.

[3] Document of August 7, 1259. Vitale, Appendix, n. iv. Michele Giustiniani (*Vescovi e governatori di Tivoli*, Rome, 1665) does not begin the series of Roman *comites* of Tivoli until the year 1375. Viola, *Tivoli*, p. 183. The statutes of Tivoli of 1305, printed in 1522, show that the offices of the *Comes Tiburis*, *Caput Militiæ* and *Sedialis*, established in that document, were still retained. *Caput Militiæ:* a syndic, a guardian of justice and of the constitution. His office survived, beside that of the *Vicegerens* (the former *Comes*), until the beginning of the nineteenth century.

Castellano had laid down his arms; he languished in prison, and, as formerly his nephew, was only saved from death by the Roman hostages, who were detained in custody by his friends in Bologna. The Romans, fearing for the fate of these boys, turned to the Pope, entreating him to protect them. Alexander consequently demanded that the commune of Bologna would take the hostages under their own keeping. The commune refused. The Pope consequently caused the Bishop of Viterbo to lay Bologna under the interdict.[1]

Castellano was finally saved by a remarkable movement in the cities of Italy, which followed on the fall of Ezzelino and his house. This tyrant of the Middle Ages, whose name has become a by-word, had gradually extended his rule over the most important communes of Lombardy. No inducements held out by the popes had availed to make Frederick's son-in-law false to his principles, or persuaded him to enter the service of the Church, which, at this price, would have pardoned every sin. After a heroic resistance he fell at last into the power of his united enemies at Cassano on September 27, 1259. Historians depict the last struggles of this extraordinary man, in whom the spirit of the age transformed the germs of the highest virtues into diabolical crimes, so that he has become immor-

[1] Alexander IV. to the Bishop of Viterbo, Anagni, April 30, 1259: in Pinzi, *Stor. d. Vit.*, ii. 76. The interdict also fell on the university. The celebrated jurist, Odofredus, writes: *debemus regratiari Deo—quod hunc librum complevimus . . . propter interdictum hujus Civitatis, que erat interdicta occasione obsidum, quos habebat Dom. Castellanus de Andalò.* Tiraboschi, *Storia della Lett.*, iv. 50.

talised as the Nero of his time.[1] They describe the rejoicings of mankind, who crowded to enjoy the sight of the imprisoned tyrant, and they liken the terrible captive to an owl sitting silent in the midst of a swarm of noisy little birds. Ezzelino, laden with the threefold curse, filled with silent contempt for the world, the Papacy and the destiny which had been foretold him by astrologers, died on October 7, 1259, in the castle of Soncino, where he was honourably buried. Terrible was the fate of his brother Alberic, who had a second time deserted the Church. After a desperate defence in the tower of S. Zeno, he had been obliged to surrender with his seven sons, two daughters, and his wife. His entire family was strangled before his eyes, and he himself was dragged to death by horses.

Death of Ezzelino, Oct. 7, 1259.

The terrible fall of the house of Romano, following on other appalling events, combined to fill the cup of horror to overflowing. Incessant wars and scourges had visited the cities. "My soul shudders," writes a contemporary chronicler, "to describe the sufferings of the time, for it is now twenty years since the blood of Italy has flowed like a stream, on account of the discord between Church and empire."[2] Mankind was suddenly thrilled by an electric shock

[1] Verci has defended Ezzelino. Rolandinus frequently speaks of him with ecstasy, and says: *quod esse debet exemplum cunctis, ut sit modis omnibus defendenda libertas usque ad mortem* (lib. vii. c. 13). The *Historia Cortusior.* places in the mouth of Alberic words worthy of Tiberius: *mundo dati sumus, ut scelera ulciscamur* (Murat., xii. 769).

[2] *Quod occasione Sedis Apostolicæ ac Imperialis, sanguis Italicus funditur velut aqua.* The Monk of Padua, *ad A.* 1258.

which drove it to repentance; countless multitudes rose with lamentations in the cities, and, scourging themselves until they bled, advanced in processions of hundreds, thousands, nay, even tens of thousands. City after city was drawn into this current of despair, and mountains and valleys soon re-echoed to the touching cry: "Peace! peace! Lord, give us peace!" Many historians of the time speak of the strange occurrence with astonishment; all say that this moral tempest first rose in Perugia and then spread to Rome. It laid hold of people of all ages and conditions. Even children of five years scourged themselves. Monks and priests grasped the crucifix and preached repentance. Aged hermits issued from their solitary caves in the wilderness, appeared for the first time in the streets, and taught the same lesson. Men threw aside their clothes down to the girdle, covered their heads in a cowl and seized the scourge. They formed processions, and in files of two and two, carrying tapers at night, walked barefoot through the frosts of winter. They surrounded the churches with terror-striking songs; threw themselves weeping before the altars; and chanting hymns of the passion of Christ, scourged themselves with frantic energy. At one moment they cast themselves on the ground; at another raised their bare arms to heaven. Looking upon them the beholder must have been made of stone, to refrain from following their example. Dissensions ceased; usurers and thieves surrendered themselves to justice; sinners confessed; the prisons were opened; assassins made search for their enemies, and, placing a

The appearance of the Flagellants.

naked sword in their hand, implored them to kill them: these enemies, throwing aside the weapon in horror, fell weeping at the feet of their offenders. When these appalling bands of pilgrims approached another town, they rushed on it like a hurricane, and the infection of the flagellant brotherhood thus spread from city to city.[1] It reached Rome from Perugia late in the autumn of 1260. Even the stern Romans fell into ecstasies. Their prisons were opened, and Castellano of Andalò was thus able to escape to his native city of Bologna.[2]

The Flagellants in Rome, 1260.

The appearance of the Flagellants is one of the most striking phenomena of the Middle Ages. A long and serious social confusion, the consequence of the war between the empire and the priesthood, had found expression in the pious frenzy of the Crusades and the longing of mankind for redemption; the same longing was repeated in the Flagellant movement of 1260. Suffering humanity collected in the depth of its consciousness the impressions of the events with which it had been

[1] See Salimbene, the Monk of Padua, Jacopo de Voragine, Hermann Altahensis, Caffarus, Riccobald, F. Pipin, Galvan. Flamma, who say: *propter mortem Yzelini de Romano scuriati infiniti apparuerunt per totam Lombardiam* (c. 296). Palavicini and Manfred forbade this dangerous phenomenon under pain of death. The Torri erected 600 gallows in Milan, so that the Flagellants retired (Murat., *Ant. Ital.*, vi., Diss. 75). The Pope, scenting heresy, prohibited the processions; they ceased in January 1261.

[2] *Cron. di Bologna* (Murat., xviii. 271), A. 1260: *I Perugini andarono nudi per Perugia battendosi; poscia i Romani andarono similmente—allora lasciarono i Romani tutti i prigioni—per l'amor di Dio, e lasciarono la famiglia di Messer Castellano di prigione; e M. Castellano fuggì dalla città di Roma.*

stirred—heresy, the Inquisition, and the stake; the fanaticism of the mendicant orders, the Tartars, the fierce struggle of the two universal powers, the devastating civil war in every city, the tyranny of an Ezzelino, famine, pestilence, and leprosy; such were the scourges which chastised the world at this period. The processions of these Flagellants, who seemed like so many wandering demons, was the popular expression of a universal misery; the despairing protest and the self-inflicted chastisement of contemporary society, which was seized by a moral contagion as powerful as that which had laid hold of it in the time of the Crusades. In this dark form of penance mankind took leave of the historic period of the struggle between the Church and the empire. Towards its close a genius appeared as its result. This was Dante, who, alone of all this mediæval world, created a unique monument. His immortal poem resembles the marvellous pile of some Gothic cathedral, which displays on its pinnacles all the most prominent figures of the time, emperors and popes, heretics and saints, tyrants and republicans, the Old and the New, sages and creators, slaves and freemen, all grouped around the penitent genius of humanity, who seeks for liberty.[1]

[1] *Libertà van cercando ch'è si cara,*
Come sa chi per lei vita rifiuta.
—*Purg.*, i.

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